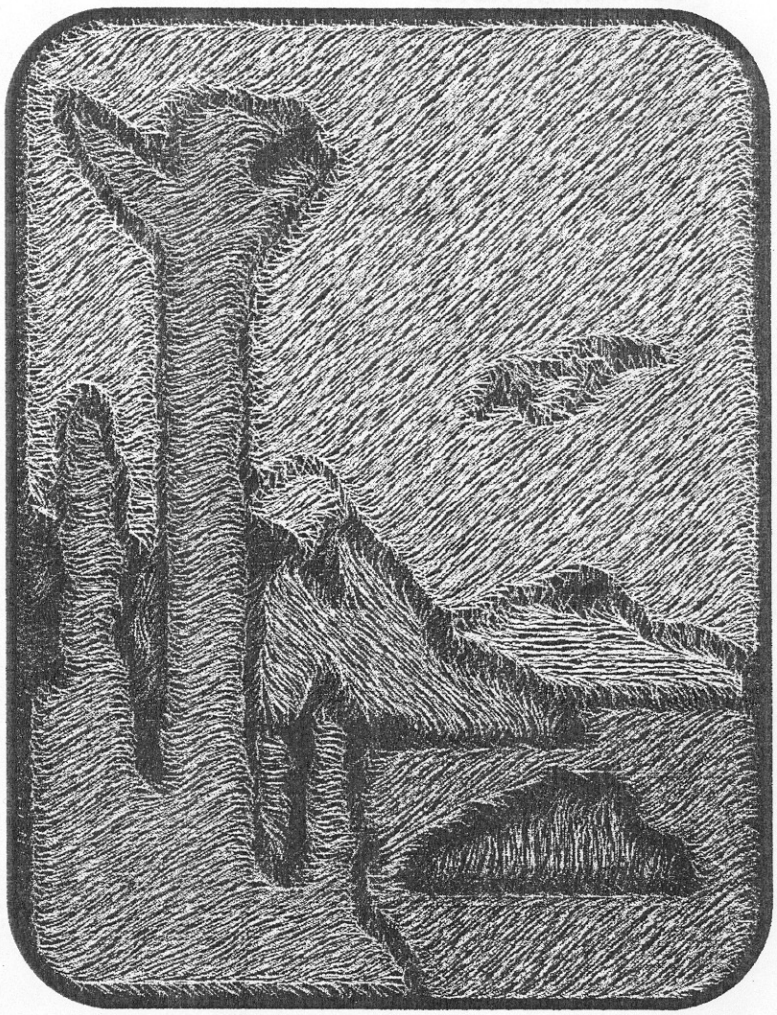
Benchmarking and Process Analysis Report

for

Alaska Department of Environmental Conservation

Alaska Oil and Gas Association



Prepared by
Don Arkell, Consultant
Lucinda Mahoney, KPMG

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EXECUTIVE SUMMARY

Description of Review Process

The State of Alaska Department of Environmental Conservation (ADEC), with the Environmental Protection Agency, Region 10, (EPA) and the Alaska Oil and Gas Association (AOGA), initiated a process analysis and benchmark study of the construction air permit process. The objective of the study was to improve the efficiency and effectiveness of the construction air permit process.

KPMG LLP (KPMG) conducted the study jointly with Don Arkell, an independent government environmental consultant (the Team), from January through April 2000. Key areas reviewed in this study included ADEC processes and procedures, the adequacy of ADEC resources, the volume/frequency of permit backlogs, the quality of permit applications, application scope changes, and permit fees. The Team evaluated these key areas against industry best practices and benchmarks.

Underlying issues to the study included:

- Various constraints to ADEC that have resulted in a processing backlog of operating and construction air permits.
- Repercussions from backlog that may slow industry's ability to control the timing and scheduling of their construction projects, which then could result in increased project costs.
- A changing environment in which industry and ADEC support a more flexible permitting process.

Project Approach

The Team undertook the following to obtain and analyze information and to develop recommendations:

- Developed an understanding of ADEC operations by interviewing seven ADEC employees, two ADEC applicants, and 18 other state and local air pollution control agencies; and by reading existing documentation about ADEC. See Appendix A for a list of interviewees.
- Reviewed the ADEC construction permitting desk manual, an example permit application, the technical assessment report, and a permit. Copies of these documents are available from ADEC.
- Reviewed memos from various consultants that were initiated by Alaska Rural Electric Cooperative Association (ARECA) and related to process improvement suggestions. Copies of these memos are available from ADEC.
- Considered suggestions for improvements provided by ADEC staff.
- Documented key processes as they currently exist at ADEC via process flow diagrams. See Appendix B to review the Process Diagrams.
- Identified tasks by ADEC position. See Appendix B.
- Researched national best-practice data for ADEC programs via the Internet, written surveys, and telephone interviews. See State Survey Data section.
- Developed recommendations to address process-related concerns.

ADEC Benchmarking

Overview of Findings

The Team studied key ADEC processes in place, researched best practices for air pollution control programs in other states, and briefly reviewed ADEC's current organizational structure. The findings and related information discussed herein are based primarily on interviews with ADEC staff, some written material provided by ADEC, written responses by other agencies to a survey questionnaire, and telephone interviews with other agency representatives. The Team did not independently verify the data.

The areas within ADEC that were researched and considered by the Team are documented in the following order:

- Staff-related issues: salary, number of staff, training, and decision-making processes
- Quality of industry consultants
- Budget/fees to process permits
- General permit process, timeliness, workloads, and application tracking
- Organizational structure
- Detailed process analysis by subprocess: pre-application, completion review, preliminary permit decision, external review, and final permit decision

Each is followed by observations, best practices used in other states, benchmarks, and recommendations specific to the area. See Discussion of Findings section.

Process flow diagrams and detailed recommendations associated with internal processes are documented in Appendix C and Discussion of Findings section.

Summary of Observations and Recommendations

- ADEC staff are competent and professional, committed to the agency's mission to protect public health and environment, and perform work as efficiently as possible to minimize unnecessary delays for regulated facilities. Process improvements could increase staff efficiency.
- Overall, ADEC permitting processes are similar to those of other states.
- Many states have already studied and implemented process improvements.
- ADEC has a substantially higher proportion of major source Prevention of Significant Deterioration (PSD) and "avoidance" actions than any other state surveyed/researched during the study.
- Several factors, including less-than-competitive salaries, challenge ADEC's ability to attract and retain employees.
- Additional staff is needed to eliminate backlog.
- Development and implementation of formal dispute/conflict resolution guidelines will reduce permit delays and backlog, and improve process efficiencies.
- Development of incentives to increase the completeness of applications on first submittal will reduce permit delays and backlog, and improve process efficiencies.
- Additional efficiencies may be obtained via a broader study of the Air and Water Quality Division of ADEC.

ADEC Benchmarking

Overview of Recommendations

Based on the study, the Team believes that the ADEC recognizes opportunities for improvement. ADEC staff identified many of the improvement recommendations included in this report.

- Improve the staffing profile:
  - Increase training opportunities.
  - Cross-train staff to enhance operating flexibility.
  - Improve the level of staff writing skills.
  - Seek authorization to add staff, as needed, and raise salaries.
  - Advocate raising the expenditure cap to allow overtime as needed to accelerate processing.
- Improve the quality of permit applications:
  - Establish performance requirements for consultants who prepare applications (e.g., 50 percent of initial application will be complete on first submittal).
  - Clarify acceptable application elements.
  - Clarify requirements for use of EPA guidance or alternative models.
  - Conduct training seminars for ADEC staff, applicants, and consultants on topics such as top-down Best Available Control Technology (BACT) methodology.
  - Provide incentives to encourage pre-application meetings and resolution of issues early in the process.
  - Standardize the application format, making it easier for ADEC staff to find and identify required data. Ensure that the website has current information and data needed to support the application process.
  - Include Federal Land Management's (FLM's), Alaska Coastal Management Program (ACMP), and EPA in the pre-application process.
- Improve the overall process:
  - Consider combining administrative and technical completeness review steps and revising the desk manual accordingly.
  - Develop an online permit tracking system.
  - Assign a single point of contact to each permit application.
  - Delegate more responsibility and accountability for processing to staff, commensurate with their skills and abilities.
  - Prioritize performance "target" times for completion of permit applications.
  - Standardize a process within the permit process to resolve technical disagreements.
  - Strictly apply scheduling policy (queue system). Discourage early "lobbying" to move up in the queue outside of the process.
  - Improve file maintenance.

  - Streamline the technical analysis report (TAR).
  - Minimize duplication of construction permit conditions and operating permit conditions.
  - Coordinate earlier involvement in the permit process by other agencies.

- Improve internal communications:
  - Establish a structured approach to address policy and precedent-setting issues outside the permitting process.

- Other recommendations:
  - Establish policy guidance through the stakeholder workgroup process to handle equipment changes during the application-processing period, with the goal to maximize allowances for equipment and location changes while providing compliance assurance.
  - Push the EPA for decisions regarding use of nonguidance models.
  - Conduct a broader study of ADEC departments to determine whether the current organizational structure is operating at peak efficiency.

DISCUSSION OF FINDINGS

The Team identified and analyzed several issues and areas of need grouped for discussion as follows:

- Staff
- Budget
- General process, timeliness, workloads and application tracking
- Organizational structure
- Permit process
- Completion review
- Technical Review/Preliminary Permit Decision Process
- External review process
- Final permit decision

Each of these topics is addressed by a listing of Team observations about ADEC, related best practices and benchmarks, and recommendations. The supporting data for the benchmarks and the detailed State survey data can be found in the State Survey Data section.

Staff

Observations

- ADEC salaries are not competitive with industry or with other similar state agencies when considerations are made for higher cost of living.
- ADEC's general staff attrition is high:
    - ADEC hires staff into the Air Permit area, then staff transfer into other areas.
    - ADEC serves as a training environment for junior permit writers, who then move to industry positions, creating high attrition and leaving few experienced writers.
- ADEC positions are technical and have a long training curve.
- The remoteness of Juneau impacts the available pool of qualified resources.
- A training plan is established for each employee. Training is provided on the job. Formal training may be provided, as scheduling and budget permit. Actual training time for two employees was approximately 255 hours each over a one and a half year time frame.
- Additional engineering and support staff are needed to eliminate backlog.
- Staff from other ADEC departments have been used at times to help reduce backlog.

- No backup staff is cross-trained to perform Quality Assurance (QA) reviews.
- QA reviews are currently conducted "on the fly" when time is available.
- Industry perceives that ADEC staff make "policy-type" decisions that should be made at higher levels in the organization.
- Legislature has limited ADEC's budget, which has resulted in a staffing shortfall.
- Consultants hired by industry provide varying levels of competence, particularly in their understanding of required state and federal technical procedures.

Best Practices Employed by Other States

- Temporary positions have been approved to eliminate backlogs. *(Colorado)*
- Staff are temporarily moved or reassigned to cover fluctuations in workload. *(Montana, Vermont)*
- Structured training programs exist for new employees, with timelines. *(Vermont, others)*
- Workshops are conducted for industry to better define agency needs and EPA requirements. *(Oklahoma, Vermont)*
- Applicant requests for priority in the processing queue are more often handled using overtime, requiring the applicant to pay a premium. *(Minnesota, others)*
- Staff activities are refocused on processing maximum numbers of permits. (*Oregon, Oklahoma)*
- Staff incentives are used to encourage timely processing. *(New Mexico, Colorado)*
- Advisory groups, comprising industry and the public, help to improve general knowledge of agency requirements; periodic conferences serve as an outreach mechanism. *(Montana, New Mexico, Colorado)*
- Consultants are required to become certified to improve the quality of applicants. *(California)*

  Note: This program as a voluntary measure proved not to be successful in California (verbal communication from California Air Resources Board (CARB). There is no particular advantage to consultants to seek "certification," unless regulation prohibits application by uncertified consultants or "certified" applications are expedited, thus providing an edge over uncertified consultants. A certification program could add administrative burden to ADEC without being offset by increased efficiency.

None of the states for which the Team interviewed use contractors to supplement their workforce. New Mexico is moving in this direction for New Source Review (NSR) permit review, but has not implemented as of this date. Utah has used contractors in the past. Tennessee uses contractors for some of its Title V operating permit processing. Neither Utah nor Tennessee was in the group of states selected for benchmarking.

ADEC Benchmarking

Benchmarks

Average Salaries

ADEC Salaries Compared to 1997 STAPPA/ALAPCO Salary Survey[a]

Position	Reg. 10 State Average 1997	ADEC 1997	ADEC 2000	ADEC Level	Industry I[b]	Industry II[c]
Engineer I	$ 32,509	$ 35,500	$ 32,856	14	$ 36,894	$ 45,000
Engineer II	$ 46,367	$ 48,000	$ 40,478	17	$ 43,166	$ 60,000
Engineer (top level)	$ 53,864	$ 55,500	$ 42,476	18	$ 70,472	$ 82,000

a Survey included Alaska, Idaho, and Washington.
b Industry I
c Industry II

AT the request of ADEC, 1997 ADEC salary figures included in the STAPPA/ALAPCO survey above were adjusted. The results are as follow.

	Average EPA Region10 State Salaries (1997)	ADEC salaries (1997)
Engineer I (entry level)	$31,399	$32,472 (level 14)
Engineer II	$43,643	$39,948 (level 17)
Engineer (top level)	$49,680	$42,948 (level 18)

Note: EPA Region 10 provides a 25-percent tax-free cost-of-living adjustment (AK COLA) for federal employees working in Alaska. EPA Region 10 salary averages were not adjusted for AK COLA.

Attrition

- Average annual attrition rate: Half of agencies report 1 to 5 percent annual attrition over the last 3 years, another one-third report 6 to 10 percent over the same period (1997 STAPPA survey).
- ADEC's annual attrition rate:
  - Overall Air Permitting - approximately 10 percent over 5 years, based on 15 of 31 positions since 1995.
  - Construction Permitting - approximately 6.6 percent over 5 years, based on 2 of 6 positions since 1995.

ADEC Benchmarking

Training Programs

- Formal training program in place: ~ 50 percent
- ADEC formal training program in place: Yes
- Hours of formal training per ADEC employee per year: 170

Recommendations

- Conduct one or two annual training seminars or workshops for industry, consultants, and ADEC staff.
- Retain outside help to produce and upgrade informational materials (e.g., standardized formats, online tracking system, other infrastructure improvements).
- Hire temporary permit writers to eliminate backlog. (Note: the Team understands that additional funding requirements may require legislative or commissioner support.)
- Enhance the training program schedule for selected classes of employees by establishing timeframes for completion of critical training elements.

ADEC Benchmarking

Budget

Observations

- ADEC employees document time spent on permits and bill applicants $78 per hour.
- According to some ADEC staff, ADEC hourly billing rates are lower than contractors' rates, which creates a feeling that it is less expensive for some industries to have ADEC complete the applications and /or update models than to have their consultants complete them properly before submittal.

Best Practices Employed by Other States

- Incentives are provided to applicants who participate in pre-application meetings. *(Texas)*
- Charges are based on a mix of fixed fees, emission fees, time charges, and support from the general budget. *(San Francisco Bay Area, Oregon, Colorado)*
- Applicants have the option of paying additional fees for staff to work overtime on their permits. (*Minnesota, New Mexico, San Francisco Bay Area, Colorado)*

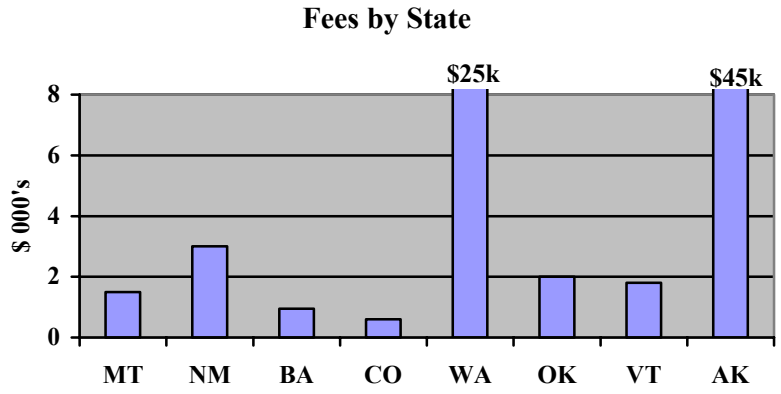
Note: ADEC information indicates a legislative cap on pay and use of overtime. Implementation would require legislative action on ADEC's budget.

Benchmarks

Fees

- Range of fees to process a major source permit: $ 1,500 - $25,000
- ADEC range of fees to process a major source permit: $20,000 - $180,000*

* ADEC's typical range for PSD permits is $35,000 - $45,000.



ADEC Benchmarking

Note: ADEC's permit fee system has two components: an annual $5.00 per ton emissions fee, which covers the overall permit program infrastructure development, and the $78 hourly rate fee, which fully covers the staff time to process permits. The department adopted this fee schedule to avoid claims of unfair subsidies. Industry representatives did not want a facility with relatively high emissions and requiring little agency oversight to subsidize other facilities with relatively nominal emissions yet requiring substantial agency oversight efforts. Therefore the legislature established the authority for an hourly rate fee. The fees are set to recover total department costs of processing and issuing permits.

Program Cost Per Permit

- Total construction permit program budget for 3 years divided by total number of permits issued or pending over the last 3 years (from 6 states responding to questions) $1,380/permit*
- ADEC total permit program budget for 3 years divided by total number of permits issued or pending over the last 3 years $20,569/permit**

*Methodology for other states: Number of permits over 3 years multiplied by annual program budgets multiplied by percent of construction permit budgets. The 3-year program budget values assume constant budgeted amounts from the most recent year.

**Methodology for ADEC: Number of permits over 3 years multiplied by annual program budgets multiplied by percent of construction permit budgets. The 3-year program budget value assumes constant amount from most recent year.

Note: The above figures are for all permit applications handled by air permitting programs in the responding agencies as well as by ADEC. Three of the six responding agencies each processed several thousand minor permit applications, with minimal fees, causing the calculated fee per permit value to be relatively low. In Alaska, the proportion of major source permit actions relative to total permits, including minor permits, is substantially larger than other states. That relatively large proportion, with the attendant major source fees, causes the calculated average fee per permit value to be relatively high. In general, these substantial differences between Alaska and other states in ratios of major/nonmajor sources, the fact that survey information on fees is aggregated for all permits, and that some states do not recover the full costs of permitting through fees reduce the reliability of overall program costs comparisons.

Recommendations

- If after all reasonable efficiencies are gained, lack of budget (and staffing or outside services) remains a core impediment to increasing staff to speed the permit process, a case should be made in administration proposal to increase the budget and number of authorized staff.
- Roles and responsibilities should be better defined for ADEC staff, specifically in the areas of completing applications and updating models for applicants.

General Process, Timeliness, Workloads and Application Tracking

Observations

- The current ADEC process involves much paper shuffling between permit writers and modelers, which is inefficient.
    - A single point of contact is established at the supervisory level rather than at the staff level, requiring the supervisor to participate in the responses to all questions by applicants.
- ADEC is managing a large backlog of permits.
- The current rewriting of permits within ADEC is inefficient.
- Workloads are uneven.
- Certain staff pose productivity problems.
- Few quantitative metrics are used to track performance**,** as in number of permit actions.
- Application forms are not standardized.

Best Practices Employed by Other States

- A single point of contact is established at staff level, with responsibility for accuracy, completeness, and timeliness of processing. (*San Francisco Bay Area, others*)
- Software tracking tools are used to manage applications. *(New Jersey, Vermont, others)*
- An electronic database is used for processing. *(New Jersey minor sources only, New Mexico)*
- Applications are submitted electronically. *(New Jersey minor sources only)*
- The completeness review is automated. *(New Jersey minor sources only)*
- Completeness letters and permit drafts are automatically generated. *(New Jersey minor sources only)*
    - Note: Startup and system maintenance costs for electronic permit processing can be high. New Mexico estimated startup costs of $900,000 for New Jersey-type software.
- Standardized applications/forms are used. *(New Jersey, others)*
- Applications must be certified that the information is complete and correct to the best of applicant's knowledge. *(New Jersey)*
- Strict adherence to a "queue" system is enforced. *(Minnesota)*
- Standard permitting "templates" are used for technical reviews, public notices, and the permit document itself. *(Oregon)*

ADEC Benchmarking

- Applicants have the option to pay additional fees for staff to work overtime on their permits. *(Minnesota, New Mexico, San Francisco Bay Area, Colorado)*
- Temporary positions are authorized to eliminate backlogs. *(Colorado)*
- To catch up on backlogs, permit writers were "sequestered", their work was reprioritized, and performance targets were established. *(Oregon)*
- High processing production goals were reached through special emphasis on production. *(Oklahoma, Colorado)*
- Applications are spot-checked for accuracy, but agency performs much less detailed independent oversight on applications prepared by consultants for which there is a high level of confidence. *(Oklahoma)*

Benchmarks (See Summary Tables, Appendix C)

Timeliness of Permit Processing

• Range of time for staff to process a permit:	75 to 365 days
• Range of total elapsed time to process permits	Above times, plus months for response to requests for additional information
• ADEC range of time for staff to process a permit	180 to 420 days
• ADEC range of total elapsed times to process a permit*	Above times, plus months for response to requests for additional information and issue resolution 84-365 days
• Range of PSD or equivalent permits processed per staff, over most recent 3 year period	3 to 56
• ADEC PSD or equivalent permits processed per staff, over most recent 3 year period	15

*ADEC provided information with total elapsed time for processing, including times needed to provide supplemental information and resolve issues. Other states provided allowable times only for processing, not including times to provide supplemental information and resolve issues. Subsequent telephone discussions with state representatives confirmed that including those times adds weeks or months to the total elapsed times.

Recommendations

- Delegate more responsibility and accountability for processing to staff, commensurate with their skills and abilities.

ADEC Benchmarking

- Consider temporary reassignment of staff. When authorized, allow overtime to accelerate processing. If acceleration is due to applicant request to move up in the queue, charge the applicant a premium to cover overtime costs.

- Implement process improvements identified in this report.

- Move forward on initiatives with ARECA to streamline processes for rural electric power development projects. (See attached responses to ARECA request for suggested scope of streamlining initiative.)

ADEC Benchmarking

Organizational Structure

Observations

- ADEC is organized so that construction and operations permit writers are separated.
    - Operations permit writers are in Anchorage, construction permit writers are in Juneau, and compliance is performed from the Fairbanks office. According to ADEC staff, the communications between the groups should be improved.
- Changes in ADEC supervisory/management staff could change the overall philosophy of the group and impact permit writing.
- According to ADEC staff, teamwork within the construction permitting group is good, which is a tribute to group leadership and commitment.
- ADEC staff has expressed concern and discomfort with occasions of simultaneous "lobbying" of management by applicants as the application processes are first begun.

Best Practices Employed by Other States

- Construction and operating permit writers are under the same umbrella section; they sometimes handle both construction and operating permits. They believe this structure reduces duplication and provides continuity of process through construction and operating permit issuance. *(Vermont, others)*
- A queue system is strictly adhered to, which discourages "bumping up" efforts that are outside the review process. (*Minnesota*)

Benchmarks

- None identified.

Recommendations

- A broader study of the ADEC should be conducted to determine whether the current organizational structure is operating in the most efficient manner, given prevailing geographic (large area) and political (state) offices.
- The contents of the construction permit should be reviewed and screened for duplication relative to operating permit. (E.g., keep operating-permit only conditions to a minimum.)

ADEC Benchmarking

Permit Process

The Team believes that the subprocesses used by ADEC to manage workload were appropriate and that no redesign was needed. The Team did identify process improvement opportunities associated with the tasks and processes within the subprocesses.

Pre-Application Assistance

ADEC provides assistance to applicants by attending pre-application meetings with applicants, providing written guidance and verbal advice for application procedures, reviewing draft work plans and data reports prepared by the applicant, and documenting decisions that depart from or establish department construction permitting guidance.

Observations

- Considerable time is spent in pre-application processing, yet the percentage of substantially complete applications is small.
- ADEC employees who participate in the pre-application meetings may not work on the permit development, resulting in inefficiencies.
- Application information is based on regulations in place in 1997; ADEC has not revised pertinent state regulations since then. When regulations are updated, application information will be updated accordingly.
- ADEC does not require applicants to fill out the ADEC forms. ADEC only requires that all necessary data be provided.
- ADEC has identified 10 classes of permits, each requiring a different form to accompany the application.
- Permit format is not standardized, but is generally governed by the desk manual.

Best Practices Employed by Other States

- Incentives are provided if applicants participate in pre-application meetings. *(Texas)*
- Standardized forms are readily available in hard copy or from agency websites. *(Several states)*
- SIC code-specific form packages reduce confusion about which forms are needed. *(Oregon)*
- Plain English explanation of processes, frequently asked questions, and applicability are available on agency websites. *(Colorado, New Mexico, Washington, several others)*
- Checklists are used to provide greater assurance of complete applications. *(New Mexico)*

ADEC Benchmarking

Benchmarks

Time Spent on Pre-application

- Average of total time states use for pre-application: 120 days*
- Average total time ADEC uses for pre-application: 162 days

*Methodology: Average number of days to complete pre-application phase from 6 states that engage in pre-application phase. Where a range of times was given, the difference was split.

Number of States That Provide Current Information

- States that provide checklist and up-to-date information: NM, CO, WA, OK, VT
- ADEC provides checklist and up-to-date information: Yes, but consistent with current state regulations last updated in 1997.

Recommendations

- Use pre-application processing to increase completeness of permits on first submittal.
- Provide incentives to applicants to participate in pre-application meetings:
  - Provide limited, pre-application services for free (no hourly rate) with a cap on total free hours.
  - Establish early in the process expected delivery dates.
  - Assign an engineer to be the single point of contact for an applicant throughout the process, beginning at the pre-application meeting.
  - Provide early alternate dispute resolution, where possible.
- Standardize the application format, making it easier for ADEC staff to find and identify required data.
- Update the website to include current application data. Include downloadable application forms, Frequently Asked Questions, and a checklist of information needed for application completeness.
- Clarify requirements for use of EPA guidance models, as well as procedures for using alternative modeling protocols.
- Include Federal Land Managers (FLM), Alaska Coastal Management Program (ACMP), and EPA as necessary during the pre-application process.

ADEC Benchmarking

Completion Review

ADEC conducts a thorough review of construction permit applications and supplemental submittals within 60 days of application receipt. This review primarily focuses on assuring that key information has been provided to include the following: identification of sources, emission rates, and model components.

ADEC also reviews retainer and account data within the 60-day timeframe and sets up the application in the tracking system.

Observations

- At times, ADEC conducts the review in the last few days of the 60 days required for review.
- Applicants perceive that requests for additional information may be used as a mechanism for stretching out the review period during times of overload.

Best Practices Employed by Other States

- Administrative Completion reviews and technical completeness reviews are done concurrently. *(Vermont)*

Benchmarks

Days allowed for completion review

- Average number of days allowed for completion reviews (staff time only): 44
- ADEC number of days allowed for completion reviews (staff time only): 60

Percent of applications initially complete

- Average percent of applications that are initially complete: 45
- ADEC average percent of applications that are initially complete: 5

Number of days to perform administrative and technical reviews

- Average number of days to actually perform administrative and technical completion reviews (including time to respond to administrative information requests) 93
- ADEC average number of days to actually perform administrative and technical completion reviews (including time to respond to administrative information requests) 193

  Methodology: Add average time for review(s) to average time(s) to respond to requests (7 states responding for administrative review, 6 states responding for

technical review). (Note: Time(s) to respond to requests for additional technical information not asked and not included.)

Recommendations

- Assign an engineer to be the single point of contact for an applicant beginning at the pre-application meeting.
- Change the process description to incorporate a total completeness review as a single step. Adjust the ADEC desk manual and flow chart accordingly.

Technical Review/Preliminary Permit Decision Process

ADEC prepares a preliminary decision packet within 60 days of concluding the completeness review. The packet includes the draft permit, the technical analysis report (TAR), public notice, and transmittal documents.

Observations

- At times ADEC has issues with applicants or consultants regarding inadequate modeling analysis, misuse of EPA guideline models, and use of unauthorized non-guideline models.

  Note: Most acceptable modeling protocols use standardized EPA guideline models. Problems described are when consultants come in with non-guideline models that may render more favorable (i.e., lower) air quality impacts; that may be the difference between compliance and noncompliance with National Ambient Air Quality Standards (NAAQS) or available increment. One related issue is whether to reject the analysis or help correct it. Another issue is how much of the available increment to allow a single source to consume.

- A different staff member may be assigned this portion of the review, requiring the staff to re-read the application, supplements, completeness findings, and correspondence—resulting in inefficiencies.

- Multiple staff members are involved in developing the packet. Packet development may be reassigned in the middle of the process to another staff member, creating inefficiencies.

- Permit formats are not standardized.

- Industry frequently changes project scope during the process, requiring ADEC to reevaluate the permit. According to ADEC, about 70 percent of the applications are revised to the extent additional analysis is required.

  Note: ADEC's perspective is that frequently an application will be submitted prematurely, before the applicant has made final decisions on equipment, production rate, physical layout, etc. The perception is that this is done to gain a place in the queue. From agency perspective, this results in higher incidence of delay causing changes in an application, which effectively moves the application back in the queue.

  Industry perspective is that it follows typical timelines for submitting permit applications that are followed in other states. Generally, irrespective of area of the country, industry feels that due to long lead times for PSD permit application processing, it cannot afford to develop all project details before submitting PSD permit applications. Thus many times the exact specifications of some equipment at a proposed facility are not known at the time the application is first submitted, and final specifications may be different than those assumed in the application. In many situations in Alaska this problem is exacerbated in part by the frequent need to include ancillary power plants and other supporting combustion equipment to deal with extreme weather conditions at remote sites that are not served by electric power grids. These conditions are not often present in other states. The long lead times and limited availability of appropriately sized equipment make it necessary to assume certain equipment specifications for purpose of the application.

- According to staff, preparation of TARs consumes the most staff time.

- Each piece of equipment anticipated to be onsite is listed in the TAR. Because equipment constantly changes, it is difficult to develop this portion of the TAR.

Best Practices Employed by Other States

- Completion and technical reviews are done concurrently. *(Montana)*
- When an applicant is undecided about equipment type or location, analyses of several scenarios (including worst-case) are required in the application. When a final decision is made, time is not lost performing additional analyses. It is already done. *(Oregon)*
- A general BACT rule covering all new and modified sources is utilized; this reduces time spent discussing appropriate control technology. *(Utah)*
  - *Note: Utah (Preliminary survey only) requires standardized BACT on minor sources, thus generally reducing opportunity for dispute about level of controls*
  - *Note: Some states have adopted "presumptive BACT" for certain minor source categories, such as gas stations, dry cleaners, asphalt plants, aggregate plants, etc. BACT determinations for PSD sources are determined case-by-case, using top-down procedures.*
- Use of templates enable technical writers to fill in parts specific to a source. *(Oregon)*
- Some applications are thoroughly checked while others may only be spot-checked. The difference is the confidence level the agency has in the application preparer. *(Oklahoma)*

Benchmarks

Number of Days Allowed for Technical Reviews and Report

- Range of number of days allowed for technical reviews/report: 28 to 90
- ADEC typical number of days allowed for technical reviews/report: 60

Average Number of Permits That Undergo Revisions

- Average percentage of permit applications that undergo revisions while in process 22
- Percentage of ADEC permit applications that undergo revisions while in process 70

Recommendations

- Standardize the TAR to eliminate unnecessary boilerplate language. Develop standalone sections to discuss BACT, Ambient Air Quality, and Air Quality Related Values.

ADEC Benchmarking

- Clarify requirements for use of EPA guidance models and procedures to use alternative modeling protocols.

- While ensuring fair queue order, establish policy guidance through stakeholder workgroup process to handle equipment changes during the application processing period. Goal would be to maximize flexibility to allow equipment and location changes to be made, while providing compliance assurance.

    - Promote alternative analysis scenarios, avoiding time delays to perform additional modeling if changes occur during processing.

    - Consider onsite small point sources as an area source group for modeling purposes. Establish assumed (maximum) emission rate for the group and allow changes within the group when emissions do not exceed the assumed emission rates.

- Develop and incorporate to the extent possible, presumptive BACT for small point sources within larger facilities.

- Consider issuing conditional completeness determinations, even though deficiencies may be identified later, provided the deficiencies are corrected within a certain specified period.

External Review Process

ADEC provides an opportunity for other interested parties to comment on the proposed permit through public comment periods or public hearings. Outside agencies and other interested parties include the EPA, federal land managers, the general public, and the Coastal Zone Review and coordination.

Observations

- ADEC typically conducts the public comment review and outside agency review concurrently.

Best Practices Employed by Other States

- Abbreviate public comment process on noncontroversial, minor source applications. *(New Mexico, others)*
- Allow public comment on application concurrently with agency review. *(New Mexico)*

Benchmarks

- Average percent of total applications that receive comment -

Public:	10
EPA:	28
Applicant:	41
FLMs:	36

- ADEC average percent of total applications that receive comment -

Public:	50
EPA:	2
Applicant:	100
FLMs:	2

Recommendations

- Encourage pre-application meetings and earlier external review of drafts.
- Provide incentives to attending pre-application meetings, as recommended earlier in this document.
- Provide limited pre-application assistance without charge (already recommended earlier).

Final Permit Decision

ADEC prepares a final decision packet, including a permit, a response to comments/testimony, and transmittal documents. The task is completed within 30 days of conclusion of the public comment period.

Observations

- ADEC's process is straightforward; ADEC responds to significant public comment, edits and revises TAR, then issues final permit.

Best Practices Employed by Other States

- Issue permit, allow short period for appeal for disagreements by applicant. *(Montana, others)*

Benchmarks

- None apparent.

Recommendation

- Include other agency reviewers early in the process, address concerns to minimize late comments (recommended earlier in this document).

Dispute Resolution

While processing permit applications and negotiating conditions of permits, differences of opinion arise among applicants, consultants, and agency staff. Most of these disputes are resolved at staff level, but at times cause undue delays in processing applications.

Observations

- Most minor technical disagreements are resolved at the staff level.
- At times, industry elevates issues to the commissioner or executive director, sometimes simultaneously as application is filed with staff, either because disagreements are anticipated by the applicant or the applicant feels special urgency to speed up the processing time.
- Some applications that are bumped ahead in the queue due to this pressure create a disruption of the normal workflow.
- Technical disagreements are sometimes taken to management before they can be resolved at staff level.
- Delays in processing many permits are caused as resources are diverted to resolving the needs of a particular applicant.

Best Practices Employed by Other States

- Agency policy of strict adherence to queue, with few exceptions. If applicant wants "fast track" processing, use of overtime is approved and applicant pays premium fee. *(Minnesota)*
- Upper management not involved routinely, except for final permit approval. Seldom is there direct contact between upper management and an applicant on an application. Some contact occurs in other agencies. *(San Francisco Bay Area)*
- Matters of policy, precedence, and controversy are brought to discussion in-house, outside the permitting process. Policy decisions are signed by the director, and acknowledged and implemented by staff. *(Oregon)*
- Attempts to resolve technical disagreements are exhausted at staff level before they are elevated to upper management. *(Oregon)*

Benchmarks

Number of permits elevated

- Frequency of permits elevated for resolution to upper management: Seldom, Sometimes
- ADEC frequency of permits elevated for resolution to upper management: 20 percent

Recommendations

- Develop systematic, regular process that involves management and staff in resolution of controversial issues. Consider encouraging input from other stakeholders. This process should be conducted outside the permitting process.
- Improve communications between management and staff, with more routine involvement by management outside arena of controversy.
- Encourage resolution of technical disagreements at lowest possible level.

DISCUSSION OF FINDINGS

State Survey Data

Benchmark Tables

Permit/Staff Ratio

Percent Initial Applications Complete

Length of Time to Process Permits

Fees

State Questionnaire Results

Appendix

A – Interviews

B – Tasks by ADEC Position

C – Process Flow Diargrams

SUMMARY TABLES

Summary Table 1. Permit/Staff ratio

State	MT	NM	BA	CO	OR	OK	VT	WA	AK
No. of staff*	20	6	42	14	26	40/10	7/5	12.5/11.5	18
%FTE for PSD/Avoid.	10%	12%	<5%	21%	<2%	56%	50%	15%	17%
No. of permits.**	6/(286)	10/(660)	10/(5300)	165/(3000)	5	131/(2058)	51/(152)	19/(184)	47/(24)
P/S_3 ***	3	14	5	56	10	23	20	11	15

*Note: Includes staff working on potential fed permits, including PSD, Av, NSR, SM. For OK and WA, X/Y = authorized/filled positions

**Note: First value includes: permits subject to PSD or similar analyses substantially greater than state-only or minor sources. Second value in () are state-only or minor source permit actions.

***Methodology: PSD, Av, NSR, SM permits per FTE equivalent over 3 years ($(\text{row } 3_{\text{major}}) \div (\text{row } 1_{\text{filled}} \times \text{row } 2)$)

Summary Table 2. Percent initial applications complete

State	MT	NM	BA	CO	OR	OK	VT	WA	AK
Percent Complete	20%	50%	50%	10-15%	0%	90 %	Almost all	0%	5%

Summary Table 3. Amount of time to process (elapsed days, not counting times for additional information)

State	MT*	NM**	BA	CO	OR	OK	VT	WA	AK
Pre-app	30-60	14-28	-	30	-	4-21	30-500	6-180	162
Admin complete	30	30	21	60		7		55-90	60
Tech complete	30		28					-	60
Tech Report/pr.pmt.	40	45	28	60		90		30	60
Public comm..	15	45	30	45		60		30	
Final pmt.	60	90	30	30		7		-	60
Appeal	15								
TOTAL	75	120	109	195-365	540***	175	200	120	240

*Default to statutory/regulatory limits. Days after application submittal

**NM under statutory time limits. 30 day schedule starts after app. Receipt. 90 day schedule starts after admin completeness, to final permit. Total 120 days.

***This is suggested “performance benchmark” for PSD applications in Oregon. It is not policy, but provides an indication of what Oregon may consider a reasonable timeframe for complete processing.

Summary Table 4. Fees

State	MT	NM	BA	CO	OK	VT	WA	AK
	.5K minor-1.5K PSD	3K	.945K, all fees	.4-.6K minor, .6K+ PSD (hourly rate)	2K	1.8K	1K minor 11-25 PSD	20 K-180K (30-40K typical)

ADEC charges $78 per hour of staff time, which is calculated to fully support staff costs for permitting program. In addition, ADEC charges emission fees at $5.00/ton of regulated pollutants that cover other direct and indirect costs for the whole permitting program. Other states' fee systems include combinations of fixed, emission and per hour charges. Some construction permitting program costs in other states may not be fully covered by fees, and would be partially supported from general funds.

State of Alaska Department of Environmental Conservation
Benchmark and Process Analysis Questionnaire
Air Pollution Construction Permitting Programs

Table 1. Questionnaire Response by State

	ALASKA	MONTANA	NEW MEXICO	CALIFORNIA (BAY AREA)	OREGON	COLORADO	WASHINGTON	OKLAHOMA	VERMONT
B U D G E T									
1. How is your permitting program funded?	Hourly rate billing of applicants and permittees, with nominal emission fee to pay for indirect costs of the program.	Emission fees	Emission fees	Flat fees & emission fees		Emissions fees and hourly permit processing fees	Flat fees	Primarily from emission fees but some from flat fees such as app. fees	Emission fees & construction permit fees
2. Avg. fees to obtain construction permit	A PSD permit costs between $20,000 and $180,000. Typically the cost is in the range of $35,000 and $45,000. For PSD avoidance, the cost ranges between $12,000 and 30,000, depending on the complexity of the dispersion modeling review.	$500/non-PSD; $1500/ PSD		$945		$500-$600 minor sources; $600+ major sources	$1,000 for minor sources, $11,000 B 25,000 for PSDs (Base NSR fee varies from $1,000 to $15,000 depending on project complexity. Projects needing a PSD have a $10,000 add-on fee.)	$2000	Based upon data obtained from 1998 (year app. fees last increased to present, $1800 per permit app. filed.
3. Total annual Air Program budget	The Total Air Permits Program Budget is $2,386,000 based on the FY 2000 budget (July 1999 through	$2.2 M	$5.1 M	$37,608,975		$13,345,000	$16 million	$6.2 million	$1.5 million

	ALASKA	MONTANA	NEW MEXICO	CALIFORNIA (BAY AREA)	OREGON	COLORADO	WASHINGTON	OKLAHOMA	VERMONT
	June 2000).								
4. What % of budget supports the construction Permitting program?	The Construction permit Program represents 25% of the Air Permits Budget.	1.4%	24%	6.6% ($2,500,322)		6.4% ($850,000)	UA	10%	15%
5. What percent of budget is for contractual services for the construction permit processing?	5%	0%	0%	0%		0%	0%	0%	0%

	ALASKA	MONTANA	NEW MEXICO	CALIFORNIA (BAY AREA)	OREGON	COLORADO	WASHINGTON	OKLAHOMA	VERMONT
S T A F F I N G L E V E L S									
See attached Table 2, "Staffing Levels" for FTE, salary ranges, average time in grade, and OT eligibility data									
1. Do you provide formal staff training in a training setting, other than training gained on-the-job?	Yes. Entry level engineering staff regularly attend EPA Air Pollution Training Institute courses, WESTAR sponsored courses in Air Quality Control and California Air Resources Board courses. Each Engineering staff have annual training	Yes, MT DEQ uses a mentoring program where senior staff work with newer staff and sometimes conduct formalized training	Yes	No		Yes	NO. We do take advantage of EPA and WESTAR sponsored training opportunities	NO. We do take advantage of EPA and WESTAR sponsored training opportunities	We have developed a list of training requirements for new employees. This list identifies documents that a new employee must read and become familiar with. The list identifies a structured format of EPA training classes & correspondence courses that a new

	ALASKA	MONTANA	NEW MEXICO	CALIFORNIA (BAY AREA)	OREGON	COLORADO	WASHINGTON	OKLAHOMA	VERMONT
	plans that endorse professional development through attendance of Air Quality course work in their specific discipline.								employee must complete. Goals are identified as to which courses need to be completed by when. A copy of this training outline has been attached for your information.
2. Do you use paid OT to process construction permits?	Yes for Engineering Level 1 and 2 staff and temporary specialist staff.	Not, not usually	Yes	Yes		No	No	No	Yes, if there is a backlog of construction permit apps., Vermont is willing to pay OT to ensure processing of the apps. in a timely manner.
3. Do you use supplemental staff as needed to process construction permits?	Yes. Based on workload the Air Permits Manager approved up to 3 temporary specialists and reassignment of up to 3 Engineer Level 3s to assist with scheduling back-log.	No, we haven't needed to yet	No	Yes		Sometimes	No	No	No
4. Do you use outside contractors as needed to process construction permits?	No.	No	No, but we are currently developing a program to outsource NSR permit review	No		No	No	No	No

	ALASKA		MONTANA		NEW MEXICO		CALIFORNIA (BAY AREA)		OREGON		COLORADO		WASHINGTON		OKLAHOMA		VERMONT	
W O R K L O A D –3 Year totals–																		
1. How many permit apps. in the following categories have been processed or are in processing in the last 3 years by the staff counted in Table 1?	**# of apps completed**	**# of apps currently pending**	**# of apps completed**	**# apps. currently pending**	**# of apps completed**	**# apps. currently pending**	**# of apps completed**	**# apps. currently pending**	**# of apps completed**	**# apps. currently pending**	**# of apps completed**	**# apps. currently pending**	**# of apps completed**	**# apps. currently pending**	**# of apps completed**	**# apps. currently pending**	**# of apps completed**	**# apps. currently pending**
• **NSR (nonattainment)**	0	0	0	0	0	0	2	0			0	0	0	0	NA	NA	0	0
• **PSD**	14	2	6	1	10	3	6	0			12	3	9	3	19	8	6	0
• **Applicants avoiding PSD review (NOT netting out)**	24	7	125		12	2	0	0			Don't know		UA	UA	2	0	44	1
• **Synthetic minor (to avoid Title V)**	20	0	5-10		15	2	70				150		4	3	98	4	See below	See below
• **Non-major or state only**	9	1	150		563	53	4900	300			3000		149	35	1889	169	90	62
• **Other**	8	6					0	0					UA	UA	UA	UA	--	--
TOTAL	71	16	285-290	1	600	60	4978	300			3162	3	UA	UA	2008	181	140	63

	ALASKA	MONTANA	NEW MEXICO	CALIFORNIA (BAY AREA)	OREGON	COLORADO	WASHINGTON	OKLAHOMA	VERMONT
2. Has there been or is there now a real or perceived persistent backlog of uncompleted construction permit applications? If so, how did (is) the agency address(ing) this issue?	Yes applicants perceive a scheduling backlog of uncompleted reviews. The Dept. has assigned staff from other programs and hired non-permanent staff to reduce backlog.	No	Yes[a]	Yes, corrected by publication of a permit handbook		Yes, prior to 6/99 a large backlog existed. Additional funds were provided by the Legislature to hire more staff.	There is no backlog. Major and minor source approvals have a defined timeframe for process-sing, so applications pending column above is due to projects currently in process.	Yes, there was a backlog. Resolved by increasing staff.	We have not had a serious backlog of construction permit apps. since 1990. We addressed the issue by hiring an additional person to assist in processing the applications.
3. Please attach a list of completed and pending permits. ***See attached lists of states' completed and pending permits, as provided***	List provided to Don Arkell March 2000.	We don't keep a list of all permits – not available	See email attachment to this completed survey	Backlog corrected five years ago					
*****See attached Table 3, "Application Process Timeframe."*****									

	ALASKA	MONTANA	NEW MEXICO	CALIFORNIA (BAY AREA)	OREGON	COLORADO	WASHINGTON	OKLAHOMA	VERMONT
AIR PERMIT PROCESS GENERAL PROCESS BACKGROUND									
1. How do you track progress of permit applications through the process?	The Department tracks application and processing mileposts through use of a Microsoft Access database table. Mileposts tracked are: receipt of application, latest revision date, preliminary decision date, and final decision date. Other information logged include the applicant's contact name, address, and phone number.	Supervisor & lead worker help staff w/tracking	Program developed in-house using *Oracle* & *Discoverer* programs	Each step is logged into computer tracking program		Computerized tracking system	No formal process is used; some engineers use checklists to keep track of which projects are in what part of the process.	By a tracking log and TEAM database.	Via a database created in Microsoft Access
2. How many individuals on staff are involved in reviewing, analyzing data, corresponding about a typical app?	For a typical PSD application, two technical staff are assigned. For projects that do not require ambient impact analysis, one staff is assigned. The process flow chart is included in the draft benchmarking report.	2-3	5 (PE, modeler, 2 mgrs, & Enforcement/ Compliance	See flow chart		Four staff involved in processing a typical application: lead engineer, modeler, inspector, & clerical assistant	No more than 2 staff involved in reviewing each minor NSR application. For PSD sized projects this increases to 4; 2 at the local permitting agency and 2 in Ecology HQ dealing with the PSD related issues. If no PSD is required, all permitting occurs in local agency offices	Three: primary engineer, peer reviewer, & supervisor	Six individuals with the Engineering Services Section are responsible for reviewing, analyzing the data, and corresponding about applications. Additionally, our one clerical position may write correspondence to the applicant acknowledging receipt of application.

	ALASKA	MONTANA	NEW MEXICO	CALIFORNIA (BAY AREA)	OREGON	COLORADO	WASHINGTON	OKLAHOMA	VERMONT
3. How do you evaluate performance of staff & the permit review process?	We evaluate the performance of staff through the goals and expectations provided to Don Arkell on May 9, 2000.	Staff performance is reviewed during permitting process. Supervisor tracks progress using Advanced … ***(Unintelligible)***	See attached standards for evaluating permit engineers.	Two levels of review for each permit issued		# of permits produced, # of hours billed, & quality of permits produced	Staff is evaluated on their performance in issuing the permits only in the context of an annual performance review. The permit process is not reviewed either, though we have periodically gone over the process as part of our continuing education process.	Each permit is given a point value according to its relative difficulty. Each engineer is evaluated according to # of points accumulated. Some leeway is taken by supervisor re: special projects, etc., that each person is involved with.	Staff are evaluated formally via annual performance evaluation (every 6 mos. during first year of employment). Additionally, Engineering Services Section works in a team environment, and there is a strong level of communication between section members. Each permit is reviewed internally by peers and at least one senior staff member prior to final issuance. The goal of peer reviews is to provide feedback on conduct of reviews, permit conditions, and ensure consistency in approach between team members
4. How do you measure permit quality?	We determine permit quality through a thorough review of each draft for logic mistakes, calculation errors, grammatical errors, and clarify of	Prepared by staff; routed to lead worker, ultimately to supervisor. Copied to EPA.	See attached permit quality checklist.	Based upon standards in permit handbook.		Internal review process	We peer review all PSD permits internally to assure completeness and appropriateness of emission limits (BACT), performance testing	Each draft permit is peer re-viewed for quality, then re-viewed for quality & consistency by supervisory or senior eng., then by Chief Eng. Each	Assuming a project has successfully documented compliance with the air pollution control regs, permit quality is defined as follows:

	ALASKA	MONTANA	NEW MEXICO	CALIFORNIA (BAY AREA)	OREGON	COLORADO	WASHINGTON	OKLAHOMA	VERMONT
	stipulations. A cross check is whether permits are appealed due to errors or poorly written, ambiguous conditions or findings.						and compliance monitoring requirements. Proof of a high quality permit is the ability to drop it into an AQP without modification.	permit is issued with essentially the same quality level. First permit issued for a particular type industry is discussed with senior permits staff & Chief Eng. Many are reviewed by EPA Region VI staff for quality and consistency with fed. rules.	• Does the permit clearly and concisely limit the applicant to the project and emissions detailed in the application? • Are the permit conditions enforceable as a practical manner?
*****See attached Table 4, "Timeframes for Construction Permitting Process"*****									

	ALASKA	MONTANA	NEW MEXICO	CALIFORNIA (BAY AREA)	OREGON	COLORADO	WASHINGTON	OKLAHOMA	VERMONT
5. What happens if a time deadline is missed?	The project becomes a higher priority project. An applicant may elevate issues causing delays to the Department's upper management.	Legislature typically knows about it.	Reported to Sr. mgr. at end of month; affects PE's & PM's annual performance appraisal.	Applicant can petition for a decision.		Nothing other than complaints usually ensue	If the date for making the completeness determination is missed, nothing happens. There are no penalties or automatic approvals if this or any other time frame is missed.	An explanation is required; also a plan to prevent future occurrences, if possible.	Historically, we have not had a serious problem meeting established deadlines, and therefore have no experience with any actions that would be taken to address such an issue.
6. Does your agency have any incentive programs for expediting applications?	No.	No	Yes: To achieve an "Exceeds" rating in the timeliness criteria & get max. annual salary increase, PE must issue 95% of permits on time.	Yes, accelerated permit program in regulations.		Yes. A small amount of administrative time off is granted.	NO	No	No

	ALASKA	MONTANA	NEW MEXICO	CALIFORNIA (BAY AREA)	OREGON	COLORADO	WASHINGTON	OKLAHOMA	VERMONT
P R E – A P P L I C A T I O N P R O C E S S									
1. Does your process include a pre-application process?	Yes	No formal period, but strongly suggested that applicant meet with all affected parties prior to submittal.	Only if requested by applicant.	No		No formal period provided	Our process encourages all applicants and especially those for PSD approvals to participate in a pre-application meeting. We want the meeting held early in the process, after	Yes, if applicant requests a pre-application meeting or conference call.	The pre-application process is not required in regulation, but occurs naturally in the development of the application. The pre-application period consists of assisting the applicant in the

	ALASKA	MONTANA	NEW MEXICO	CALIFORNIA (BAY AREA)	OREGON	COLORADO	WASHINGTON	OKLAHOMA	VERMONT
							the emission increases have been estimated, but before any dispersion modeling has been started. If ambient monitoring is needed, then we like the meeting very early in the project planning process. Our pre-application meetings include the federal land managers whenever possible.		preparation of their application. Initially this would consist of providing the applicant with our application requirements, regulations, and guidance materials (all of which are accessible at **www.anr.state.vt.us/dec/air/**). Depending on the project, a pre-application meeting may occur with the applicant to help to better define the review process for their particular project. If ambient monitoring or air quality modeling will be necessary as part of the application, the applicant is encouraged to develop a protocol defining how work will be completed. The Agency reviews the protocol and gives suggestions on improvements or necessary revisions to make them consistent with our guidance or

	ALASKA	MONTANA	NEW MEXICO	CALIFORNIA (BAY AREA)	OREGON	COLORADO	WASHINGTON	OKLAHOMA	VERMONT
									established methodologies.
2. What kinds of issues are discussed? Are binding agreements reached?	Topics include data collection needs for meteorological and air contaminant monitoring, the dispersion modeling approach, BACT options and review schedules. Formal acceptance of protocol for modeling or monitoring is binding. Policy decisions are binding, unless subsequently found to be clearly contrary with State and Federal Clean Air Act requirements.	General discussion on what DEQ & FLM would like to see addressed in app; generally, binding agreement.	Permit applicability, modeling, & emissions rates. No binding agreement.	No		Permit process, schedules, and rule interpretations	Ambient monitoring QA/QC requirements (if monitoring is needed, require a QA/QC plan for the monitoring and notify of proper contact for plan approval), Availability of ambient monitoring information, Background air quality information, dispersion and visibility impact modeling protocols (applicant required to develop and submit an agency acceptable monitoring plan), minor source baseline dates and contact to get emission inventory information, project specific applicability issues, minor NSR issues, toxic air pollutant issues, NSPS and NESHAP applicability, and	Typical discussion items are time frames, modeling, monitoring, permit deadlines, public meetings, Land Manager, testing, and etc. Binding agreements are infrequent.	Typically, discussions on quantification of emissions, emission points to be considered, BACT & LAER, air monitoring, meteorological data, air quality modeling procedures, and applicable regulations. Usually discussions on BACT and LAER are mainly on possible options to be considered as part of this BACT/LAER analysis and not the actual technology or selection that will be required for the source. BACT/ LAER are defined by the analysis prepared by the applicant, and eventually is determined by the Agency once the application has been submitted. In Vermont, BACT and LAER are defined under one

	ALASKA	MONTANA	NEW MEXICO	CALIFORNIA (BAY AREA)	OREGON	COLORADO	WASHINGTON	OKLAHOMA	VERMONT
							timing of AOP application. Other subjects are covered based on the applicant's desires or project needs. There are no binding agreements generated in these meetings. The ambient monitoring protocol and QA/QC plan is required to be approved prior to the start of monitoring. The modeling protocols are required to be submitted prior to the start of modeling		concept, most stringent emission rate (or MSER). MSER is essentially a top-down BACT review as noted in the EPA's draft 1990 Workshop Manual. In non-attainment areas, MSER places less emphasis on costs of control. Generally, the only binding agreements that may result from the pre-application process are specific protocols for conducting air quality modeling analysis or the methodologies that will be followed to gather air quality or meteorological data.
3. If so, do written procedures guide this part of the process? Are they established by rules or regulations?	For Dispersion modeling, meteorological monitoring or air contaminant monitoring, written procedures guide the project. These procedures, both State and Federal are incorporated by reference in the State Regulations	N/A	No	N/A		N/A	We don't have written procedures for this phase of the process. This meeting is not required but is highly encouraged.	No and No	The Agency has written guidance on conducting air quality modeling evaluations. But relies on EPA's guidelines for air monitoring and meteorological data gathering. These requirements are not expressly specified in regulation, since

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	The procedures do not direct how an applicant would prepare a modeling plan, but do set out monitoring plan elements.								the procedures evolve over time and must be revised periodically to accommodate changes in methodologies and models. The Agency has general authority to request such analyses and data gathering consistent with our procedures.
4. If no specific rules, does process include formal written documentation of agreements?	For assistance not set out by rules, the Department recommends that the process include formal written documentation to provide for discoverable records. However, the Department cannot coerce applicants to provide for this type of record.	Not usually	No	N/A		N/A	Since no agreements are reached, the documentation consists of meeting minutes and notes. Occasionally the applicant provides meeting minutes to assure that their understanding of what was discussed is accurate and to document items they are required to submit.	No	Yes, when a protocol is generated, the applicant must submit the protocol for our review. We provide comments or suggested revisions to the protocol to ensure it is consistent with the procedures we follow. We provide written confirmation of acceptance when a protocol is considered adequate. The streamlines the permit review of such analyses once the application is actually submitted and helps to avoid the need to resubmit

	ALASKA	MONTANA	NEW MEXICO	CALIFORNIA (BAY AREA)	OREGON	COLORADO	WASHINGTON	OKLAHOMA	VERMONT
									an analysis because of issues related to assumptions or methodologies followed by the applicant.
5. What levels of staff/management are involved in pre-application discussions (technical/ professional/ executive)?	Involvement typically is at the staff level unless the applicant is requesting a methodology for which staff has issue. Periodically, but not typically, preapplication assistance begins with contact with management or administration outside of the agency, such as the Division of Governmental Coordination. Air permit specific questions are then routed to the Department's staff.	Supervisor and technical staff (incl. PE & modeler).	PE, program mgr, & often the bureau chief.	N/A		Technical/ professional	Principal staff involved are the local agency permitting staff (engineer) and when a PSD is involved, the Ecology permit writer (engineer), dispersion modeler (atmospheric physicist), Engineering Unit supervisor (engineer), and FLMs.	Technical and professional	Generally, the manager of Engineering Services Section and one other individual from the section (the one most likely to be assigned the project review).
6. How long does a typical pre-application phase take to complete, from first conference to initial app. submittal?	162 days	30-60 days	14-28 days	UA		30 days	6 - 16 months for PSD permits	4 to 21 days	We have no historical data regarding this phase of the process (don't track time frame). It may take from several months up to 1.5 yrs. depending on the project. For example, if air

	ALASKA	MONTANA	NEW MEXICO	CALIFORNIA (BAY AREA)	OREGON	COLORADO	WASHINGTON	OKLAHOMA	VERMONT
									monitoring is necessary at least one year of data collection is required, not to mention development of a protocol and preparation of a report summarizing data collected.
7. What percent of permit applicants obtain/request pre-application assistance?	80%	50%	<5%	UA		75%	90%	50%	Almost 100%. Typically, such assistance does not involve a significant workload, since the projects are fairly simple, and may consist of a few phone calls to discuss the process. Only 2 to 3 projects per year require more detailed pre-application process including meetings and protocol development.
8. Does the agency provide any written guidance, procedure descriptions, information requirements, forms, acceptance	Yes. The Department has application forms, checklists, and guidance memoranda for the applicant to prepare meteorological and pollutant monitoring programs, and	Not unless requested	Yes	UA		Yes	Upon request we provide an application outline (table of contents), modeling guidance information, AQRV and visibility criteria (i.e., FLAG and IWAQM documents	Yes, app. forms & a modeling protocol.	Yes, see response to item 1 above.

	ALASKA	MONTANA	NEW MEXICO	CALIFORNIA (BAY AREA)	OREGON	COLORADO	WASHINGTON	OKLAHOMA	VERMONT
criteria, checklists, etc. prior to submittal?	dispersion modeling plans.						from FLMs), and ambient monitoring QA/QC plan criteria. Not every applicant needs all information		
9. When were the above data last updated?	1997	Application: 1998. Every-thing else generally per EPA guidance.	1999/2000	UA		UA	The materials are updated as needed.	1999	Application requirements - 1997, modeling guidance and permit handbook - 1999.
10. Are updates provided to the public?	Yes. Modeling guidance memoranda and checklists are available on the State web site, but monitoring QA/QC procedures are available upon request to data monitoring staff.	If requested	Yes	UA		UA	Available to anyone upon request. This material is not generally available.	Yes, on the Web page	Yes, posted on the internet as soon as they are finalized, and therefore, are immediately available to the public. We do not send out mass mailings of hardcopies. We do inform current applicants, including their consultants, of changes when they occur.
11. How are these guidance data made available to prospective applicants?	Documents are provided via web-site, e-mail, regular mail, and copies are available in brochure stands at the Department's Air Permits Offices.	Mail, fax, phone, electronically	Website, e-mail, regular mail	UA		Website and hard copy	Provided to applicants as paper document or e-mail, depending on which form the material is most readily available.	Web site, and upon request by tax and mail	As mentioned previously, our guidance is always available on the internet. If requested, we will provide copies via email or the postal service.
12. What special	Pre-application	Montana Clean Air	Special outreach	UA		Occasional technical	We have routine	Workshops are held	No special ongoing

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programs or efforts are made to increase applicants' knowledge of regulatory requirements, acceptability criteria, and other factors to facilitate the initial application process?	meetings, Coastal Project Questionnaires, development and posting policy memoranda for new or clarified positions. Although not scheduled, periodically, staff attend stakeholder meetings and workgroups, participate in the Alaska Chapter Air and Waste Management Association forums to convey to applicants changes in Construction Permit scheduling.	Act Advisory Committee (comprised of industry, environmental, & public reps.)	presentations & meetings with industry & public			conferences; direct assistance through our compliance assistance program	contact with local consultants involved in this work, which facilitates knowledge of the process. Local agencies & regional offices also know about our procedures and routinely put applicants and us in contact to talk about the PSD process and requirements. For non-PSD actions in our regional offices, they have significant contact with local planning depts. and building permit offices. These organizations are aware of the need for projects to get air and water permits for the Department of Ecology and direct them to the agency. My understanding is that local agencies have similar relationships.	at various locations across the state	programs to assist applicants or businesses of regulatory efforts. When new regulations are adopted in some cases the Agency has conducted workshops to educate applicable industries.

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ADMINISTRATIVE COMPLETENESS REVIEW									
1. Do you expect to receive complete initial app. Submittals from applicants or the consultants working on their permits?	Yes.	Yes, but very seldom receive an absolutely complete application	Yes	Yes		Yes	Based on experience, we do not expect that the first submittal for a PSD will be accepted as complete. For minor NSR, about 60% are complete on first submittal	Yes, but we frequently have to request additional information	We prefer to receive the app. from the business itself, rather than their consultants. We try to work with the business itself so they understand the ramifications of their decisions. We prefer to send all correspondence directly to the applicant so they are aware of the issues with their application.
2. As a percentage of total initial application submittals for major new or modified sources, how many are essentially administrativel y complete?	5%	20%	50%	N 50%		10-15%	0% for PSDs, 90 % for minor NSR approvals	90%	Almost 100%. Admin. complete means a good faith submission which attempted to address all relevant parts of application requirements. This is a fairly leant test, since we do not judge the adequacy of content under this criterion. Solely if they addressed the item.
3. What do the regulations require your	**CONSTRUC-TION PERMITS: REVIEW AND**	Ensure that all applicable requirements of the	See attached reg. For ruling an app. administratively	Emissions, forms completed, fees		Not stated	The regulations do not define what makes a complete	Landowner affidavit, permit fee, app. completed	For the construction permit process, regulations are not

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agency do for a completeness review?	**ISSUANCE**. (a) **Acting on Construction Permit Applications.** The department will act on each construction permit application in accordance with AS 46.14.160 and this section. After consulting with the applicant, the department will specify dates by which the applicant shall submit any additional information requested under AS 46.14.160(c).	PSD program are addressed appropriately. 30 days from receipt of application to verify this.	complete.				application. We have used the EPA NSR Workshop manual as a guide to determining if an application is complete.	documentation of calculations/ conclusions.	as well defined as the requirements for an operating permit, since they were adopted in 1979 rather than 1995. Generally, we compare the application to the requirements to see if anything is missing from the list given the estimated emissions for the project.
4. Has your agency ever rejected an application due to numerous deficiencies?	Yes, but such a rejection is atypical.	No	Yes	Yes		Rarely are applications rejected	We have never rejected an application due to deficiencies. We have returned an application with a letter detailing major deficiencies and noting there were additional deficiencies too numerous to respond to. The proponent saw the work to get a permit to be greater than their desire to pursue the project	No, we just send applicant a letter listing deficiencies and give them 180 days to submit	Yes, we have rejected a few outright for failure to submit an acceptable application.

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5. Once initial applications are submitted, how long does it typically take to determine administrative completeness, or to identify deficiencies & notify applicant of deficiencies?	It typically takes 40 days for staff to identify and notify the applicant of deficiencies. It typically takes 20 to 30 hours of staff time to identify and notify the applicant.	30 days (generally use the full 30 days allowed by statute)	30 days (based on 2000 YTD)	N 18		60 days	Amount of staff time involved in determining if a PSD application is complete takes between 5 and 15 staff days de-pending on complexity of the project and level of detail in the application. The total calendar time is still 29-30 days as we try to incorporate FLM comments on the initial app. submittal. For non-PSD apps., simple ones take about 1 day of staff time; more complex ones take up to 10 staff days. The letter of completeness or incompleteness is issued within 2 working days of the staff's decision.	30 to 45 days	A review for administrative completeness is usually accomplished within the first 30 days after receipt of the application. It varies widely from staff to staff and project to project depending upon workload at the time of submission. But, we strive to accomplish as soon as possible.
6. Within a range, for a given application, how many separate	It takes 1 to 5 requests—typically 2 requests.	2 to 3	2 to 3	UA		2 to 5	1-15, usually 2-5	2 to 4	Typically, an application may require one to two requests for additional information or

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requests for add'l information are typically made?									supporting materials.
7. What are the predominant elements missing in applications:	Coastal Project Questionnaire, Demonstration of compliance with State and Federal Emission Limitations. Increment analysis may be missing impacts from neighboring activities; application may be missing application retainer fee.	AQRV analysis, Netting information, modeling, and BACT deficiencies	Public notice, filing fees, supporting emissions data, or modeling	Manufacture specifications		Emissions calculation, modeling errors, BACT errors	BACT analyses, AQRV impacts, and Class 1 area impacts for PSDs. For other applications, BACT analyses and toxic air pollutant emissions.	Landowner affidavits	Typically, the predominant elements missing in applications are necessary fees, an air quality modeling analysis, or materials supporting the determination of emissions (e.g., manufacturers guarantees).
8. Do you fix a time for the applicant to respond?	We do not set a time.	Yes, generally 30 days.	Yes	90 days		Yes, in correspondence to the source	No	Yes, 180 days	Yes, we do fix a time (identified in the correspondence to the applicant acknowledging missing information) for responding to an informational request. The length of time we grant applicants to respond to an informational request is dependent upon the complexity of the information requested (e.g., fee vs. air quality

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									modeling analysis). For most applications we request a response within 2 weeks or 30 days of their receiving of notification of missing item(s). We allow for extensions of this time frame if requested by applicant.
9. How long does it typically take for the applicant to respond to notices of deficiency, and to provide additional information as requested?	Typically, it takes an applicant two months to provide the missing elements.	Generally 30 days	24 days	21 days		2 – 4 weeks	If they want the project quickly, it can be as short as 2 weeks for simple requests. For more complex requests or less enthusiastic applicants, response can take 1-6 months and include one or more meetings on the content of the response. One PSD application we are working on took 12 months for the initial response to comments on the application and after 3 months on the second one a response (simply on the BACT analysis deficiencies).	30 to 90 days	The time frames vary quite a lot from application to application, and since we do not track this information, I cannot give you an accurate measure of this variable. However, it is not unusual to see an applicant requiring more than 30 days.

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							We have had applicants drop their project after receiving comments on the initial app.		
10. Do applicants' responses to initial deficiency/incom-pleteness notices generally resolve the incompleteness issues?	Yes	Yes	Yes	Yes		Usually they do	Yes	Yes	Yes. Typically we fax or email the request to the applicant and follow up with a phone call to clarify information requested. Based upon our experience, we have found that this assists the applicant in responding to the issues the first time around.
11. If not, what do you do?	If the response is insufficient, then the Department will write a supplemental request for missing information. The supplemental request will advise the applicant that further delays will affect schedules and may affect the final decision.	Ask them again for the information.	Request additional information	UA		UA	Continue to work with and educate the applicant & consultant on what needs to be corrected or added to the application and why its lack is important in the permitting process. We persist as long as the applicant wants to pursue the project.	Notify applicant of potential withdrawal of app. if information is not submitted	We request information again & try to be more explicit in de-scribing the inadequacy. In most cases we contact applicant by phone to provide clarification on information requested.
12. How long does it typically take your staff to review the	To review supplemental information, it takes roughly 15 calendar	Generally, the 30 days allowed by statute are used.	3 to 5 days, considering other application workload.	< 1 week		1 – 2 weeks	Depends on level of detail requested/ provided and whether applicant	10 days, more or less	Generally reviewed within 30 days of receipt.

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requested information?	days and eight hours of staff time.						submits just requested information or a complete new package. Simple information responses may take as little as 1 staff day to review; more complex responses & complete resubmittals may take as long as 15 staff days.		

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T E C H N I C A L R E V I E W									
1. What % of administratively complete applications require significant additional technical information?	40%	NA (No difference between tech. And admin. Review)	40%	N 5%		50%	50% of PSD submittals and about 50% of non-PSD submittals.	50%	Approximately 50%
2. How long after completeness review is completed is a determination of technical acceptability/deficiency issued?	Technical review is operated concurrent with administrative review.	NA (Done at same time)	6 weeks	< 1 week		N/A	Within 3 working days, usually less.	An application cannot be considered acceptable until a draft permit is issued, and this may take up to 90 days	The time frame between technical completeness and administrative completeness varies from project to project, but usually occurs within 45 days.
3. What are the most common technical deficiencies?	Modeling issues—inappropriate methodology, poorly documented BACT analyses, insufficient support for the applicant's selection of less stringent controls as representative of BACT.	AQRV analysis, netting information, modeling, & BACT deficiencies	Emission rate calculations & modeling	Proposed equipment fails to meet regulations		Emissions calculations & modeling	Mathematical errors in BACT cost effectiveness calculations and out of date or inaccurately characterized vendor quotes.	Incomplete modeling, inadequate addressing of state-only toxics regulation	Improper determination of size of the modification, missing or inadequate AQ modeling analysis, poor MSER analysis, inadequate materials supporting the determination of emissions.
4. Do you start the tech. review before issuing a	The review is concurrent.	NA	Yes	No		Not usually	As noted above, the completeness review includes technical aspects of	No	We begin the technical review at the same time we are reviewing for

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determination of admin. completeness?							the application, especially the dispersion modeling, increment consumption calculations, Class 1 area impacts and AQRV impacts.		administrative completeness.
5. How is applicant notified of tech. deficiencies?	The applicant is informed informally via e-mail or telephone call. If supporting information is not provided, a formal letter is sent via certified mail.	Incompleteness letter which identifies all deficiencies in the app.	Certified letter or e-mail & phone call	Letter		By letter and/or phone	By letter.	By letter and phone	Typically fax a letter or e-mail request to the applicant & follow up with a phone call to clarify information requested. We have found this assists applicant in responding to issues the first time around.
6. How long does it typically take after determination of a technically acceptable app. to complete technical analysis and draft a proposed permit?	PSD and PSD avoidance permits take roughly 80 days.	Typically, 10 days (amount allowed by statute)	14 days	26 days		1 – 3 months, sometimes more	A permit is typically drafted along with a fact sheet within 30 days of the determination that the application is complete. Often as part of the application review, the permit engineer starts to prepare the Fact Sheet and draft permit conditions to facilitate the review process. This has been found to quickly identify	If app. is received complete, 90 days. If app. is found incomplete during the permit drafting process, it is shorter.	We prepare a tech. support document which summarizes the app. and the steps completed as part of our review. This document provides a written record of how the project will comply with our requirements. Once we have completed this document we prepare a draft permit (assuming the project will comply with the air

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							missing information. For a PSD approval, the staff time to complete the Fact Sheet and draft approval takes a5 to 10 days for the first review draft. We then have a number of the PSD permit engineers review the draft and suggest changes and clarifications. It usually then takes the writer another 1 - 3 workdays to incorporate the suggestions. The draft approval is then shared with the project applicant and the local air-permitting agency for their comments. At this time we feel that we have satisfied our legal obligation to prepare a draft approval. In our regional offices, it takes about 1 to 10 days to draft the proposed approval for minor NSR projects.		comply with the air pollution control requirements). The draft permit and tech. support document are then peer reviewed. Once review has been completed, if there are no major issues left unresolved, then the application is considered technically complete. So, there is usually very little time taken between the time we declare the application technically complete and when a draft permit is available. The only additional time that may occur is because we may allow an applicant to review a draft of the documents before it goes public. This is not always done. It depends upon the complexity of the source, how familiar they are with our requirements, and how many new conditions will be added to an existing

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									permit. Typically, we would allow another 2 weeks before we issue a formal draft permit. We suggest applicants focus their comments on the accuracy of or understanding of their project, and how compliance with permit conditions can be improved (e.g., Is there an alternative way to document compliance with a limitation then prescribed in the draft permit?). Historically, we have found this applicant involvement in the draft permit stage improves our permit and understanding of the project overall. It also reduces the # of comments that have to be addressed as part of the public participation process (at least from the applicants).
7. Approx. what proportion of									

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the total work-hours required for tech. review are used for:									
• **Tech. analysis (emissions, BACT, etc.)**	190 hrs. (95 hrs. for modeling assessments).	50%	35%	90%		70%	75%	80%	50%
	About 5 hours.	40% (incl. AQRV & increment)	20%	10%		15%	15%	10%	45%
• **Air quality modeling analyses**	UA	10%	15%	0%		15%	10%	10%	5%
• **Other analysis**									
8. Is a summary technical analysis report written for each permit? How long does it take to write?	A summary analysis report is written for each permit. It takes about 190 hours to write a technical report for PSD, and about 40-65 hours for PSD avoidance. For both types of permits, it takes roughly 80 days to prepare a given technical report.	Yes (attached to permit & issued with permit)	Yes; 2 hours	Yes; 12 work-hours		Yes; varies substantially from source to source	Yes. For PSD-sized projects it takes 3-6 workdays, usually done in conjunction with the completeness determination. For simpler, minor NSR projects, this could take as little as 1 – 4 work hours or as long as 5 work days.	Yes (UA second part of question)	Yes. Only very small sources (e.g., animal crematory) or admin. amendments don't require detailed analysis. In these situations a memorandum summarizing findings is generated. These tech support documents are very detailed and require a substantial amount of time to prepare. At least a week of continuous work. Usually, however, the process stops

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									once missing information must be requested. So, the length of time to complete the entire report is difficult to estimate. Once information is received, some time is needed to reacquaint the reviewer with the project before proceeding with completion of the report. We are currently considering options to try and automate several steps in the preparation of such analyses to improve consistency and simplify the generation of such reports. Currently these documents are prepared in WordPerfect and hyperlinked into our Access database. So they are retrievable for future viewing or use. We are considering possible options to automate the process in such a manner as to generate the report

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									and provide the data in a more accessible format for later retrieval for other purposes, such as developing regulatory initiatives.

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9. Do you allow applications to be changed prior to permit issuance such that the revision has an impact on air quality assumptions, emission rates or applicable standards, or require additional BACT analyses? **What % of apps. are thus changed?**	We do allow for revised applications. 70% of applications are revised prior to the preliminary decision.	Yes 10%	Yes 35%	No 0%		Yes 50%	Yes with the understanding that the change will delay issuance of the approval or may result in additional requests for information from Ecology or the FLMs or even result in a different (more restrictive) BACT decision by the agency as impacts of the changed project are evaluated. This would include a need to revise the environmental review documents for the project also. At this point all of the regulatory timelines are thrown out as we are now working outside of the defined process. <15%	Yes 5%	Yes. If revisions will have substantial impact on completed analyses, such re-analyses must be included with the revisions. Only a small portion (<10%) of apps. includes a major redesign of the project while the app. is in-house. More often, redesign occurs after permit is issued. In these situations, a new app. and permit amendment are necessary prior to allowing the change in project design. ***[Second part of question UA]***
10. What does an applicant have to do to make such a change in an application?	The applicant must provide a certified revision, and identify the project scope changes (new equipment, ambient impact changes, revised emission	Send a letter w/pertinent info attached	Send new data w/letter requesting it	Needs to resubmit		Submit a revised application (or appropriate parts thereof)	Submit a written request with a complete evaluation of the change and its impact on air quality and the BACT analysis	Submit an addendum to the app., or if a largyyyyyyyyyyyyyyyye change, perhaps a new application	Provide necessary info detailing the change and any re-analyses that have to be submitted. In a few cases, applicants have reap-plied with a

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	data, and regulatory applicability analysis).								whole new application. This is the preferred method for projects needing substantial revisions. This generates less confusion for the public and Agency when reviewing the project and its impacts.
11. Do you require additional tech. and/or modeling review?	If emission rates or design parameters affecting ambient AQ change and the reviewer has reason to believe that impacts would increase, then the applicant must provide a revised assessment.	Only if it changes the review already completed	Yes	N/A		Yes, sometimes	Yes, with the level of review appropriate to the scale and nature of the change.	Yes, if appropriate	Yes, for substantial changes
12. Is the applicant wishing to make such a change informed about potential delays in processing due to changes in apps. prior to permit issuance?	The applicant is not notified that application changes will delay processing of applications. To the reviewer that seems intuitive. The Department does not provide types or examples of changes requiring additional review.	Yes, but still have the statutory time frame to comply with	Yes	N/A		Yes	Yes. The applicant fully under-stands that the change will result in delays to the approval issuance process. Each request for change and the time necessary for additional review are dealt with on a case-by-case basis. In some of our regional offices and local agencies, if a	Yes	No, not explicitly. I think they understand the ramifications of such a change. I think this is substantiated by the limited number of major changes that occur to a permit application once in-house in our Agency.

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							proponent requests substantial changes to their project, it moves to the back of the line.		
13. Are types or examples of changes requiring additional review provided?			No	N/A		May be discussed	UA	Yes, if appropriate	No
14. Is there a formal process to reassess permit timeliness with the applicant at the time of a change that requires additional review?	Yes. The regulatory deadline to issue a preliminary decision is extended based upon the receipt of the application revision.	No	No, but policy is being developed	N/A		No	No	Yes, usually by request of applicant	No
15. What are criteria for initiating an additional review (i.e., certain % change in emissions, % change in model predictions)?	The additional review criteria are based upon changes that affect ambient AQ standards, emission limitations, or regulatory applicability.	None developed	More complex changes may require additional modeling runs; less complex changes may be analyzed using % change	N/A		Not formalized	The level of additional review is based solely on the nature of the change. Any proposal to increase emissions is carefully reviewed.	Any significant change that would increase emissions or trigger additional modeling	None identified
16. How long does an additional review	It typically takes fifteen days to three months to conduct	NA	2 weeks	N/A		Varies	Variable. Simple changes take no time while more	Cannot be accurately answered. Totally	No data on this

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typically take?	additional review, depending on the extent of project redesign.						significant changes can take a considerable level of review. A change to the top case BACT from a lower level proposal would take no review time, while a change in the scope or increase in emissions would take considerable additional time to review the new information	dependent upon the magnitude of the change.	
17. Does your agency use EPA guideline models?	Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes. However, we purchase the models from a private vendor who has developed front and back ends to the models to make them more user friendly.
18. Does your agency allow use of alternate models?	Yes, through approval of EPA regional modeler and the Department's Commissioner after providing an opportunity for public comment.	Yes, case by case only (see Appendix B).	Yes, in one case	Yes		Yes	Yes	No, must be an EPA-approved model	See response to item 16.
19. Do you allow use of EPA Draft guideline	The Department allows use of draft models through the	Maybe (case by case only).	Yes, but defer to EPA Region 6	Yes		Yes	YES, our state modeler prefers to use best model for	Yes	No

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models?	same criteria as set above for alternative models.						the task even if not an EPA approved model.		
20. Historically, have applicants generally been able to demonstrate compliance using EPA models? If not, what happened?	Historically, applicants are able to demonstrate compliance using EPA models. If an applicant cannot show compliance, then either they would be informed of the application deficiency or their application would be denied.	Generally yes, but we have had a SIP call for modeled noncompliance, resulting in more control.	Yes	Yes		Yes	We allow the use of SCREEN if that is adequate to demonstrate meeting NAAQS, PSD increments or the Ambient Source Impact Levels of our toxic air pollutant program. More sophisticated models are used when the source is more sophisticated (like an oil refinery or aluminum smelter) or when a screening model is inadequate. For distant impacts such as Class 1 area impacts (deposition and visibility) we currently prefer the use of the CALPUFF model (fed with MM5 meteorology) used in accordance with the FLAG protocols and criteria. To date, I am unaware of any proposal that has not met the	Yes; if not, construction would not be allowed.	Yes. Where EPA models have demonstrated noncompliance, the applicant has been required to reduce emissions via control or other restrictions.

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							necessary ambient air quality or AQRV impact criteria through the use of appropriate guideline or non-guideline models. If such a situation were to occur, we would work with the applicant to apply better emission controls or determine what kind and location of emission offsets would be necessary for them to do their project. Any offsets or better emissions controls would then be required as part of the final approval		

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21. What is the % use of alternative air quality models?	4-8%	1%	<1%	20%		Very low %	For PSD projects, 30%. For non PSD projects, <10%.	0.00%	See response to item 16.
22. Do you track cumulative PSD increment consumption?	No. Reassessment is required each time an application is submitted for a project requiring a dispersion modeling review. New models and modeling techniques affect the degree of increment consumption.	Yes, but only one PSD permit at a time.	Yes	Yes		Partially. A Nox increment analysis was recently completed for the SW part of the state	NO. Increment consumption is currently analyzed by each PSD applicant for its impact area.	Yes, a recent practice	Yes
23. How much available PSD increment do you allow a single applicant to use?	A single applicant is allowed to use the entire available increment (100%).	As much as is available.	As much as is available.	Total		75%	As little as necessary after the application of BACT. In our more industrialized areas there has been considerable reductions of all emissions. The result of this is that we believe (in some areas and know in others) that there is more increment available for some pollutants now than when the baseline was set.	No limit set as of yet	New major sources and major modifications are limited by regulation to a maximum consumption of 25% of the remaining annual PSD increment and 75% of the remaining short-term PSD increment. Note, this specifies remaining increment and not the full increment value. PSD increment consuming sources must be modeled

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									first to evaluate consumption in a given area. This value is subtracted from the full increment to establish remaining increment. The increment available to the source is 25% or 75% (depending upon the averaging time for the increment in question) of what is remaining in the area. Minor sources are allowed to consume the entire increment.
24. Does your agency use EPA's Top-Down guidance when reviewing BACT decisions?	Yes	Yes	Yes	Yes, agency has own BACT/LEAR Handbook		Yes, but some flexibility is allowed	Yes	Yes	Yes
25. If not, what guidance do you use?	N/A						UA	UA	NA
26. Has your agency developed "presumptive BACT" for common source	The agency has not developed presumptive BACT for common source categories, but historically relied upon one gas-fired	Yes	Yes, for compressor engines.	Yes		No, but this is probably a good idea	Ecology has not established a presumptive BACT for criteria pollutants for any source category. The local agencies	Yes	No

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categories?	combustion turbine NOx assessment prepared in 1990 through 1994.						have not established a presumptive BACT for criteria pollutants either. We do have some regulations that contain a presumptive BACT for toxic air pollutants and certain sources of VOCs located in ozone non-attainment areas. The regional offices and local agencies have come up with expectations or unwritten policies of what is BACT for certain source categories. For example, in one agency, all new gas stations have Tier 2 emission controls. In most agencies; gas fired boilers use low NOx burners, on-road specification diesel is used for backup fuel for gas-fired turbines and boilers, dry cleaners use dry-dry controls, coffee roasters use afterburners, spray		

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							booths use controls at least as good as a particular filter system, chrome plating operations us controls that meet or exceed the MACT requirements, combined cycle gas turbines use SCR, and wood fired boilers use WESPs or bag-houses for PM control		

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27. What happens if agency's BACT determination differs from the applicants'?	The applicant has the right to appeal or to elevate the issues if the Department's BACT determination differs from that of the applicant.	Generally ask the applicant to supply more info to support their opinion	Differences are resolved.	Agency determination is final decision		Negotiations ensue	The applicant has the opportunity to convince us of the "error of our thinking" after they receive preliminary approval and before approval is issued for public comment. After approval is issued the applicant can appeal the decision.	We require applicant to document their determination. If we still disagree, the agency's position is considered to be correct.	We determine what BACT is; applicant only provides the analysis and recommends a BACT selection. Therefore, we will not grant approval for the project unless they comply with our BACT selection.
28. How are these differences resolved?	The differences are resolved through mediation involving DEC management.	Through a lot of discussion or eventually we just place the determination in the permit and let the facility appeal (last resort).	Informal negotiation.	Applicant can appeal denial to a Hearing Board		A hearing may occur before our Air Quality Control Commission	Sometimes they are negotiated, most of the time the applicant is convinced that our position is right. Rarely the decision is appealed to a quasi-judicial appeals board. Through time and appeals, it is rare for an agency decision that is well grounded in process and science overturned. (It has been 7 years since a BACT decision was a changed by this board)	Meetings with attorneys present if other negotiations fail	Most often we investigate the reasons for the difference. We may have a meeting with the applicant to further discuss the issues. If there continues to be a disagreement, then we deny the project or issue a permit with our BACT determination as the basis for the permit.

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29. How often does this happen?	Twice since January 1997, and both have been resolved on behalf of the applicant.	Not too often (facilities usually know what is required)	Occasionally	One application every 10 years		Rarely	Rarely	Very infrequently	An indefinite continuation of differences rarely happens after we have completed our investigation. We either acknowledge applicant's proposal is BACT or we stick by our determination and they have no choice.
30. What are the most common reasons applicants may reject the most stringent BACT (i.e., cost, energy impacts, other environmental impacts)?	Applicants reject BACT through arguments pertaining to an undemonstrated technical feasibility or through arguments pertaining to an undemonstrated technology for the emission unit under review.	Cost	Cost	If applicant rejects permit is denied		Cost	Cost is most common followed by technical unfeasibility. Environmental impact is not very common except in the case of using SCR.	Typically cost	Economic cost is most common reason for rejecting the most stringent BACT requirement. In some cases we have eliminated an option for technical reasons.
31. Do you require a licensed professional to review BACT decisions?	No, but reviews have typically been conducted under the supervision of a licensed professional engineer.	No	No	No		We have always used a PE for such reviews, but one is not required	State law requires that all approvals be reviewed by a licensed engineer prior to issuance. No similar requirement applies to applications.	No, but we do in-house	No
32. Relative to a given level of pollutant reduction for a	Factors such as cost per ton removed, energy, or other environmental	Very significant. However, a lot of BACT requirements	Moderately significant.	Very significant		Very significant	Very significant	Very significant	Moderately significant

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particular control technology, how significant are factors such as cost-per-ton-removed, energy, and other environmental effects in determining BACT?	effects are considered somewhat significant for determining BACT.	may also be driven by a facility wanting offsets or trying to comply with an increment or standard							
33. Does your agency have guidelines for acceptable cost-per-ton of pollutant reduction?	No guideline, as BACT is a case-by-case determination. For NOx and SO2, the cut-off has been roughly $3,000 to $10,000 per ton of pollutant removed, with recent decisions rejecting NOx controls based on costs of $1100-$1700 based on extenuating circumstances—rural electric cooperatives and municipally owned utilities.	No, nothing official	No	Yes		No	A number of cost-per-ton values are used that differ for pollutant and source category. Statewide, cost-effectiveness values are in the range of $3,000 to $4,000 are considered acceptable for most pollutants. In some cases, such as NOx from a combined cycle gas turbine system, the cost effectiveness is about $7,000 per ton.	General rule-of-thumb	BACT is generally accepted by our office as < $10,000 per ton of reduction for criteria pollutant. Value is higher for hazardous air contaminants. There is no guidance in writing. This is a value we do not make public.
34. How are acceptable costs established?	Acceptable costs are established by precedent for applicants willing to spend a given	Generally by looking at recently permitted similar sources	Balance of cost & effectiveness	Based on cost of controls included in non-attainment plan		We track this information through an informal states network & through EPS's clearinghouse	Through a review of the cost effectiveness values in the EPA-BACT/LAER	Historical data	We follow EPA guidance for determining cost effectiveness on a $ per ton basis. We

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	amount on emission controls.						clearing-house and through discussions with other state permit writers on the costs they see for projects that they have approved.		also look at capital and operating costs of the control device relative to capital and operating costs of the source. Incremental cost from one control option to a better control option is also considered in some situations.
35. Does applicant have an understanding of agency's view of acceptable costs prior to submitting the application?	The applicant's consultant usually has a fair understanding of the Department's view of acceptable costs, but the Department does not espouse a given "carte blanche" number to new applicants.	Yes, generally	No guidance is developed	Yes		Generally, yes	For PSD permits we give the generalized range of acceptable costs verbally. Our regional offices and local agencies seem to do the same when the proponents ask. We do not write this value down.	Typically they do	No

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E P A / O T H E R / P U B L I C C O M M E N T									
1. At what point are notices of the application sent out to other interested parties, such as EPA, state coordinating agencies, FLMs, other states, or tribes?	The Department sends out notices to the federal land manager within a month of receipt of a PSD application. All other parties are informed of the project when the preliminary decision has been prepared.	Facility is required to publish notice of app. either 10 days before or 10 days after submittal. We mail all PSD apps. to EPA & FLMs; we also publish a public notice when draft permit is… ***(Unintelligible)***	After application is ruled administratively complete	Public comment period		Usually prior to publishing a notice in the local paper	EPA, FLMs local agencies get notified of PSD applications when they are received, when comment letters are sent out, completeness determinations made. The general public, Indian tribes, other agencies with interest do not receive notification until the project is in environmental review or the air approval is at public notice.	Upon receipt of app.	Receipt of all apps, (except admin. amendments and projects involving less than 10 ton per year total emissions) is noticed in the local newspaper upon receipt of an administratively complete application. FLM is forwarded a copy of any application for a new major source or major modification which is located within 100 km of a Class I area as soon as it is considered administratively complete. Excluding Title V permit applications, other interested parties, including EPA, state coordinating agencies, other states are notified once the draft permit is out for public comment.

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2. How much time does it typically take to resolve issues raised by other agencies?	N/A—there has been only one PSD application for which resource agencies raised issues about the project. That one case required six months to resolve.	Generally, issues are included in the State's incomplete-ness letter.	2-4 weeks	<30 days		Varies significantly from source to source	In the 2 cases we have had where a PSD approval was challenged, it took 9 months for one (EPA disagreed with a BACT decision) and almost 3 years for the other (where a citizen group appealed the BACT decision in both the state appeals board and to EPA for both the originally issued PSD and the PSD issued subsequent to the first appeals.	Very little history on this. Until now, there has been very little comment from other agencies other than EPA.	We do not track this type of information, so historically I have no data to share. However, I know based upon experience that depending upon the issue raised it may take several months to resolve an issue.
3. What special programs or efforts are made to facilitate this process?	As dissenting comments are uncommon, the Department has no special programs or efforts to facilitate the process.	Nothing special, just a lot of communication.	None	Agency meets with EPA; use of Ombudsmen		None	In the recent case where EPA appealed to EPA our BACT decision we met with EPA to convince them that we were both accurate and correct while pointing out their errors. In the earlier case, the files do not reflect any meetings or attempt at mediation until the appeal was heard.	Agreement with the Land Managers, monthly conference calls with EPA.	If we know of an issue ahead of time, then we try to include interested parties in the process as early as possible in an effort to avoid problems during public comment period. We try to be proactive in addressing issues. In some cases it may be impossible to address issues. In these cases, if we feel applicant has addressed our requirements, then we proceed with

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									issuance of the permit. Interested party may appeal our permit or take issues to another arena (Act 250 - the states land use permit process). The Act 250 permit process addresses 10 criteria including air quality and therefore can consider issues we have not addressed in our permit.
4. What % of applications receive comments from:									<10%
The public?	50% PSD; 5% non-PSD 2% PSD; 0% non-PSD	10% 25%	10% 80% (if PSD) 5% (if other)	<5% <1%		5 – 10% 10 – 15%	25% <10% of PSDs	<5% 5%	Generally 100% for major sources & major modifications
EPA?	100% of the time from PSD and PSD avoidance projects.	100%	90% (if PSD) 5% (if other)	<5%		50%	25%	10%	<50% (<10% of permits for which they have reviewed a draft
Applicant (after prelim. or final permit issued)	2% of the time and from PSD avoidance 0% of the time.	100%	10%	0%		90% (PSD)	<10% of PSDs. They get most of their comments in and addressed during the pre-application and initial application review period.	This is in transition. Prior to 1999 there were no comments from Land Manager, but from this point on there will be a very high % of comments. 90% for this impact the Class I area.	<10%
FLM?									

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5. Is there a provision for a public hearing (contested, evidentiary, other)? What type of public hearing? What % of applications go through public hearings?	There is a provision for an evidentiary public hearing during the public comment period upon the discretion of the Department, or upon receipt from 50 or more members of the public. Since 1997, the Department has held hearings for two PSD applicants and held no hearings for PSD avoidance applicants.	15-day appeal period prior to permit becoming final. Affected parties can request hearing before Board of Environ-mental Review. Only one PSD permit in last 10 years has been appealed; it was appealed by EPA.	Yes; Evidentiary; <5%	No		Yes, but hearings are rare	The permit processing regulations allow for the public to request a public hearing or the permitting agency to hold a hearing if they believe the proposal has significant public interest. The hearing process takes the form of a presentation by the proponent of the project, the agency of the proposed approval, followed by the public giving verbal comment. The hearing is tape recorded and transcribed later. Less than 5% of all approvals issued by Ecology get a hearing. Our local agencies hold hearings in front of their Board of Directors for minor approvals that require public notice.	Yes Administrative permit hearing, can only comment on if permit complies with OK rules.	Yes. All new MAJOR sources & modifications are required to have a public meeting. New MINOR sources and modifications may have a public meeting if we receive request during public comment period. New minor sources & minor modifications are subject to public participation if project will result in total emission increase of 10 tons per year. We hold informational public meetings in which we present our findings on the project, summarize conditions of permit, and take comments on Agency's review and draft permit. Approx. 60% of all permits require public participation. <10% actually require public informational mtg. since we do not

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									receive a request for an informational meeting.
6. How long after close of comment period does it typically take to prepare responses & issue final permits?	Typically it takes 3 weeks to prepare responses and issue a final permit. For projects contested by third-parties, it may take up to five months.	Typically 5 days, which is all the statute allows.	Regs allow 16 wks, if there is a public hearing; but it may take as few as 12 wks.	<30 days		2 weeks	If there are no comments, it takes no time. The longest time that I am aware of was for a minor source approval that took 5 weeks to address the 150 comments submitted in writing and in public hearing.	5 to 10 working days	Generally less than 30 days to respond to comments (received during a comment period & public meeting) and render final decision on proposed project.
7. Do you allow for additional applicant involvement in negotiating terms of permit after public hearing?	The Department allows for "ex parte" negotiations with the applicant subject to administrative regulations. The applicant also is provided an opportunity for an administrative adjudication hearing and civil court if aggrieved by the decision.	No	No	Yes		This has not come up in recent years	No	No	No
8. Are there any programs or efforts to facilitate this process?	The adjudication hearing process is set out by the Department's administrative regulations and administered by the Commissioner	NA	No	Applicant is afforded a draft permit for review		None	NO processes exist to facilitate the drafting of the response to comments or drafting new approval requirements	The Customer Service Division assists applicants	No

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	Office's paralegal staff.						However, if permit writer and supervisor believe the change to the approval is significant, than approval usually goes through public comment process again.		

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D I S P U T E R E S O L U T I O N									
1. Does your process normally involve the Executive Director or Commissioner or equivalent?	No, not normally. The Air Permits signature authority has been delegated from the Commissioner through the Air and Water Quality Director to the Air Permits Program Manager.	No, not normally	No	No		Formal appeals go to state Air Quality Control Commission; informal contact with the Exec. Director's office sometimes occurs.	Yes. The Air Quality Program manager signs all PSD approvals, the regional Air Quality Program Section supervisor signs all minor NSR approvals issued by their offices, and the Control Officers of the local agencies sign all approvals issued by their agencies.	Exec. Director signs all major NSR permits and therefore is involved, disputed or not.	Rarely. Typically present only at the most controversial of public meetings. Division Director signs final permit and therefore gives final approval for all projects permits.
2. How do applicants typically resolve disagreements with tech. or professional staff?	Typically by 1) attempting to work out issues with the staff, 2) by elevating to the next level of management (Air Permits Program Manager), 3) elevating to the Director's Office, and 4) elevating to the commissioner's office. Periodically an aggrieved applicant will contact the Governor's Office or skip steps in elevating their issues.	Mgrs. typically get involved to try to resolve disputes.	Contact management	Meeting with staff. Use of good engineering		Negotiations	Initially they negotiate with the staff person and their direct supervisor. If disagreements re-main unresolved, the applicant moves up the chain of command.	Meetings and conference calls	If not resolvable at lower levels, applicants typically attempt to resolve by going to next higher level (i.e., Division Director).

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3. Is there direct contact between applicants & upper management regarding individual apps. in addition to the normal process?	There is direct applicant contact with upper management regarding specific projects. This approach happens in 20% of PSD projects reviewed.	Yes, sometimes	Yes, sometimes	Very seldom		Sometimes	At Ecology, usually No, though this has happened when the applicant believed they would get more lax emission requirements by doing so. At the smaller local agencies, the control officer is often the first point of contact by a new applicant. At the largest local agency, the first and normal contact point is much lower in the organization.	Infrequently. Not standard practice.	In limited situations, see response to item 2.
4. Does your agency have a process for resolving tech. or admin. issues that may affect policies or set precedents within construction permit program?	The Department has not developed a formal policy. Currently, the Program Manager has endorsed for staff to prepare an issue paper for management consideration. The paper contains an issue statement, historical and regulatory background, options for resolution and recommended course of action. Afterwards, we schedule a briefing meeting or	Yes – we try to resolve internally & figure out what needs to be done.	Yes	Agency policy is in permit handbook		Informal process	We do not have a written policy for this kind of resolution. What usually happens is that a group of knowledgeable tech staff and managers get together to separately discuss the issues and come up with an agency position/proposal then meet with applicant to discuss options and come to agreement. We have had one applicant where this did not work, and both sides agreed to	No formal process. A meeting is held with all affected parties and work out a resolution or position.	Generally, if not explicitly addressed by regs, an office procedure is adopted to deal with the issue. Depending upon the complexity of the issue, other Division sections (e.g., enforcement, monitoring) may be included in the process of developing the procedure. Meetings may be held to discuss issue & establish course of action. Each adopted procedure is signed by Div

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	teleconference during which the manager endorses a specific course of action or asks for more information in consideration of the issue.						go forward with the public notice and approval issuance to move into the structured appeal process.		Director & retained in a policy notebook. A copy of the policy is posted on the internet if relevant to potential applicants.
5. To what extent are application processes delayed pending resolution of these kinds of issues?	It depends upon the circumstances. Delays range from 1 week to 5 months. Typically it takes one to two weeks for staff to prepare an issue paper.	Never really delayed because of statutory timeframes	2-4 weeks	Very seldom		If a hearing occurs, permit issuance is delayed until after the appeals process is completed	The usual delay is in the start of the public comment period or the issuance of the final approval.	Almost no delay is due to these type problems	We do not track length of time needed to resolve disputes, so we can't give an exact figure. Historically, some issues have resulted in months of delay.

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I D E A S F O R I M P R O V E D P R O C E S S E S									
1. Please provide examples of innovative measures your agency has implemented that help streamline your permitting process.	Examples of innovative measures we have implemented to streamline permitting are: develop a desk manual for construction permit processing, standardize the document styles and drafted templates for use.	Just try to bring everyone to the table early in the process to identify any problem areas.	General Construction Permits for source types, streamlined compressor station permits for sources that meet the requirements & regulations that replace permitting.	Permit handbook, BACT/LEAR handbook, Website		Use of permit templates for minor sources; automation of permit tracking system; policies & procedures to address common issues	Our most important method to streamline the permitting process is by encouraging applicant s to meet with us and the FLMs prior to doing any significant development of the application.	General Operating Permits, permit by rule, assigning apps. to the most appropriate engineer, letting one engineer specialize in a single type of permit, workshops to train industry on how to complete app., simplification of app., electronic files of 2000 issued permits to use as	Permit tracking in Access has allowed us easy access to the permit and tech analysis on the computer. If a call comes in from a potential applicant, we can view the permit and review so we can tailor discussions in a more relevant & specific way. We have generated

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								template.	standard formats for the permit and tech reviews which contain standard language in various sections of the documents, including example conditions from past permits. This has led to greater consistency between permits. We created a permit handbook for potential applicants. This eliminated the need to explain the process each time in a letter to a potential applicant. The handbook describes the permit process in lay language and has a process flow diagram and timeline. Applicants that have actually read the document find it very helpful.
2. How do you measure improvement?	Improvement is measured by both quantity and quality of the work product. Is the language less ambiguous than previous versions?	By success in meeting timeframes & improving air quality.	Days to issue.	Greater complete applications, shorter incomplete timeframe and processing time		Percent of permit issued on-time	Reduced # of applications needing multiple submittals to generate a complete application. Also no FLM suppress for	Increased permit issuance over historical averages	How much less work is required to accomplish the same mission.

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	Is language acceptable to both the applicant and the Department? Has the backlog been reduced? Is the permit engineer processing more applications of more complexity than during the previous review period? The Department has provided Don Arkell a copy of the staff's Goals and Expectations.						the applicant or us at the public notice stage		
3. How much improvement was gained?	The improvement has not been quantified.	Tremendous improvement over last 10 years.	50% of compressor station permits qualify for the streamlining process or GCP. From 90 days issue to 30 days.	Shortened processing time approx. 30 days		Considerable, but still in the process of quantifying	We have been doing this for aver 10 years. The degree of improvement is hard to gauge. Comparisons between those projects that had a pre-application meeting and those few that didn't have pre application meetings indicate that the process went smoother with fewer surprises for the applicants who met with us early in the application development process and while the application was	15-20%	Unknown, but the above measures did benefit the Division

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							being developed.		
4. Do you know of other agencies that have implemented process improvements ?	Through the benchmarking program, the Department is aware of process improvements enabled by the State of New Mexico, Oklahoma, and Minnesota.	No	No	Yes		UA	I am unaware of any other agencies that have implemented process improvements or streamlining measures.	Texas, Kansas	No
5. Do you have ideas to help streamline & improve the process?	Regulatory package—remove the requirement to issue a public notice for projects that do not increase emissions and do not reduce air quality monitoring. Reduce the level of detail in technical analyses. Replace boiler-plate language introducing Construction Permit related concepts to a stand-alone document separate from the analysis report. Re-visit the application procedures with a view to reduce the number of applications found incomplete.	Get EPA to give more guidance & opinions on the PSD program.	Develop streamline permits, General Construction Permits, and applications that are clear, specific, and easy to use by applicant.	Yes		UA	Acquiring ambient monitoring data at sites that have a high potential for industrial growth and a lack of air quality or meteorological data would speed up the process for locations that do not have this data. The establishing written guidance with default or presumptive BACT controls and limits by process would speed up the approval of minor source applications (similar to Texans and the large California agencies, EPA's CTG's and ACT's).	Electronic filing of apps., additional specific templates.	We permit a lot of small activities. It probably would be much more effective to regulate these activities by rule rather than permit for every installation.

[a] In Jan. 1999 our NSR program was audited by an independent team (The Red Team), which proposed recommendations to the AQB. AAlso, during the 1999 New Mexico Legislative session, our NSR permitting time was cut from 180 days to 90 days for regular permits and from 240 days to 180 days for PSD. Since both of these events, we have been streamlining our program, through regulation changes, policy development and improving our application forms.

ADEC Process Study

INTERVIEWEES (13)

Internal

Richard Heffern	ADEC Chem IV
John Stone	ADEC Manager
Jim Baumgartner	ADEC Supervisor
Alan Schuler	ADEC Modeling Engineer
Jeff Anderson	ADEC Modeling Engineer
Jeanette Brena	ADEC Environmental Engineer
Brian Renninger	ADEC Environmental Engineer
Becca Smith	ADEC Environmental Specialist
Patty Langman	Administrative Clerk
Tom Chapple	Director, AWQ

External

Joe Hegna	Alaska Oil and Gas Association
Randy Poteet	Alaska Oil and Gas Association

Agencies Completing Surveys

Colorado
New Mexico
Bay Area AQMD (CA)
South Coast AQMD (CA)*
Oklahoma
Montana
Vermont
Washington
Oregon (partial, via oral interview)
Alaska

*South Coast AQMD submitted survey after late draft was prepared. Survey from SCAQMD is supplemental to this report

Agencies' Websites Used

www.state.nj.us/dep/aqpp/	New Jersey
www.tnrcc.state.tx.us/exec/bpr/ptimptl.html	Texas
www.deq.state.ok.us/air1/permitting/Permits In Active Review_1.html	Oklahoma
www.anr.state.vt.us/dec/air/	Vermont
www.deq.state.la.us/planning/regs/title33/index.htm	Louisiana

ADEC Process Study

Individuals Interviewed (including screening interviews)

Lisa Mirisola	South Coast AQMA (CA)
Kirby Sizula	Ventura County AQMD (CA)
Steve Hill, Peter Hess*	San Francisco Bay Area AQMD (CA)
Gary Rose	Connecticut
Dave Ouimette, Jim Guyer	Colorado
Emily Chin	Iowa
Keith Jordan	Louisiana
Carolina Schutt	Minnesota
Don Vidrine, David Kemp	Montana
Yougesh Doshi, Bill O'Sullivan	New Jersey
Richard Goodyear	New Mexico
Fred Longenbach	North Carolina
Ray Bishop	Oklahoma
Andy Ginsburg, Mark Fisher, Pat Hanrahan*	Oregon
Steve Hagle, Dale Beebe-Farrow	Texas
Lynn Menlove, Ursula Kramer	Utah
John Perrault*	Vermont
Al Newman*	Washington

*Also completed survey questionnaire

ADEC Air Construction Permit Process
Analysis of Tasks by Position

Appendix B

Tasks	Applicant	Secretary	Supervisor	Manager	Quality Assurance	General Staff	Modeler	Public	EPA
Pre-application Assistance Subprocess									
Review modeling plan	X		X				X		
Perform background research	X		X			X			
Review parts of the application	X		X			X			
Provide other forms of assistance	X		X			X			
Completion Review Subprocess									
Verify that the modeling plan complies with regulation			X				X		
Verify that all aspects of the application comply with regulation			X		X	X			
Commuicate status with the applicant	X		X			X	X		
Preliminary Permit Decision Subprocess									
Write TAR						X			
Write Permit						X			
Verify that the modeling plan complies with regulation			X				X		
Verify that all aspects of the application comply with regulation			X			X			
Review TAR & Permit		X	X						
Request supplemental information	X					X	X		
External Review Subprocess									
Prepare public notice		X				X			
Obtain comments from public	X					X		X	X
Final Permit Decision Subprocess									
Respond to public comments	X	X	X			X		X	X
Revise the TAR & permit, if necessary		X	X			X			
Provide a permit	X	X	X	X					X

ADEC Construction Air Permit Process

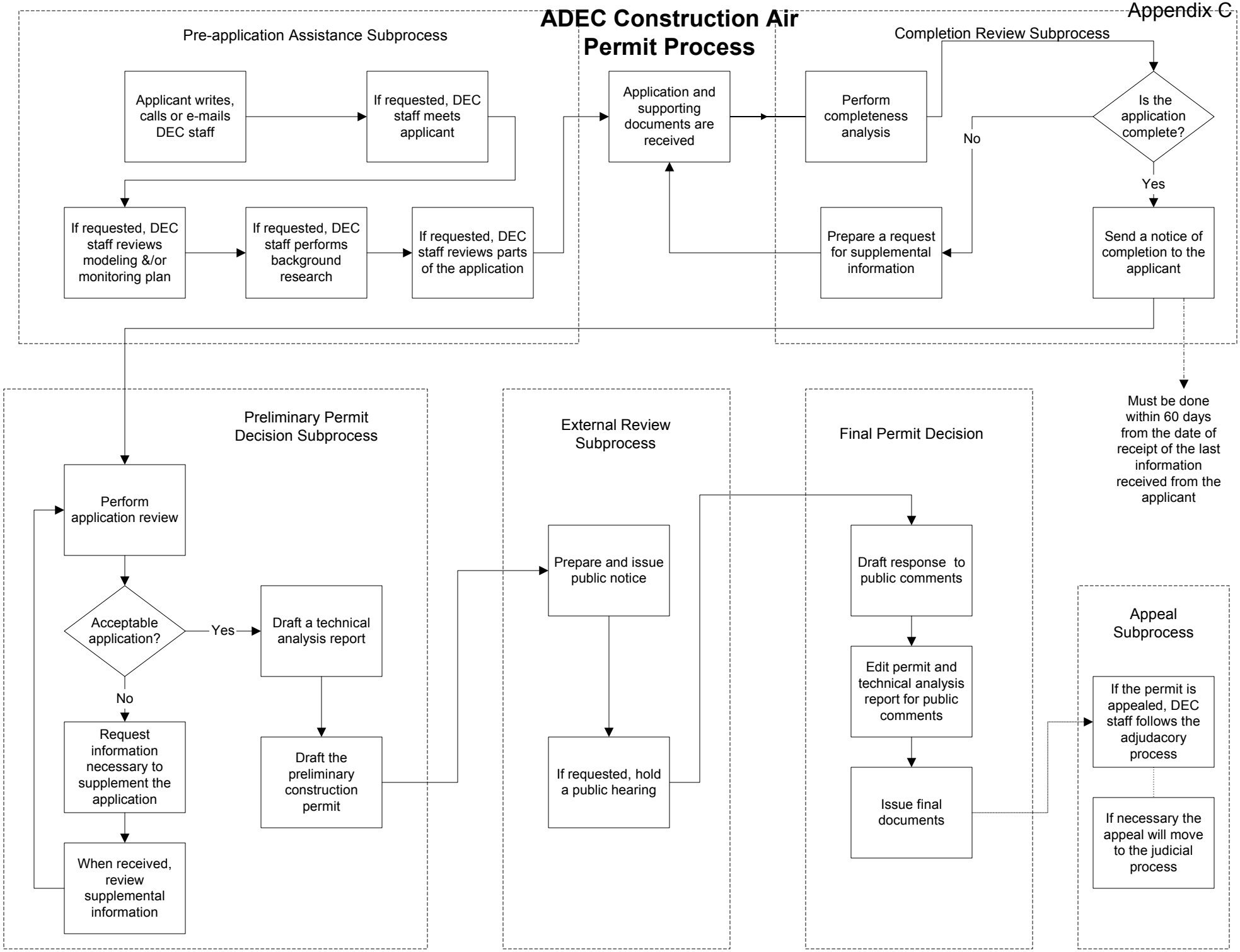
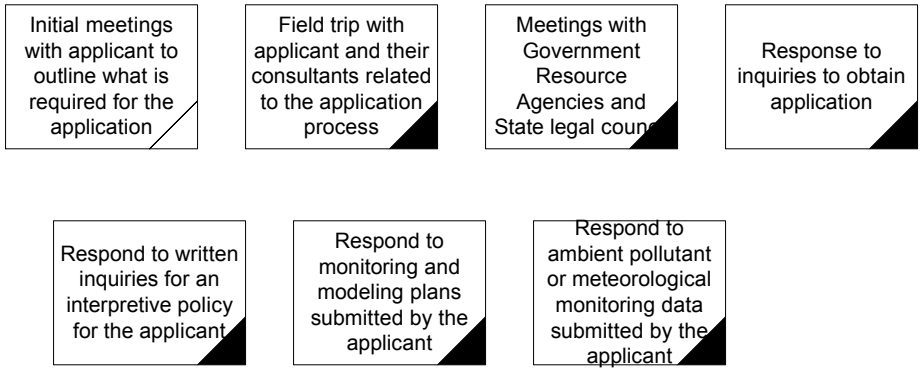
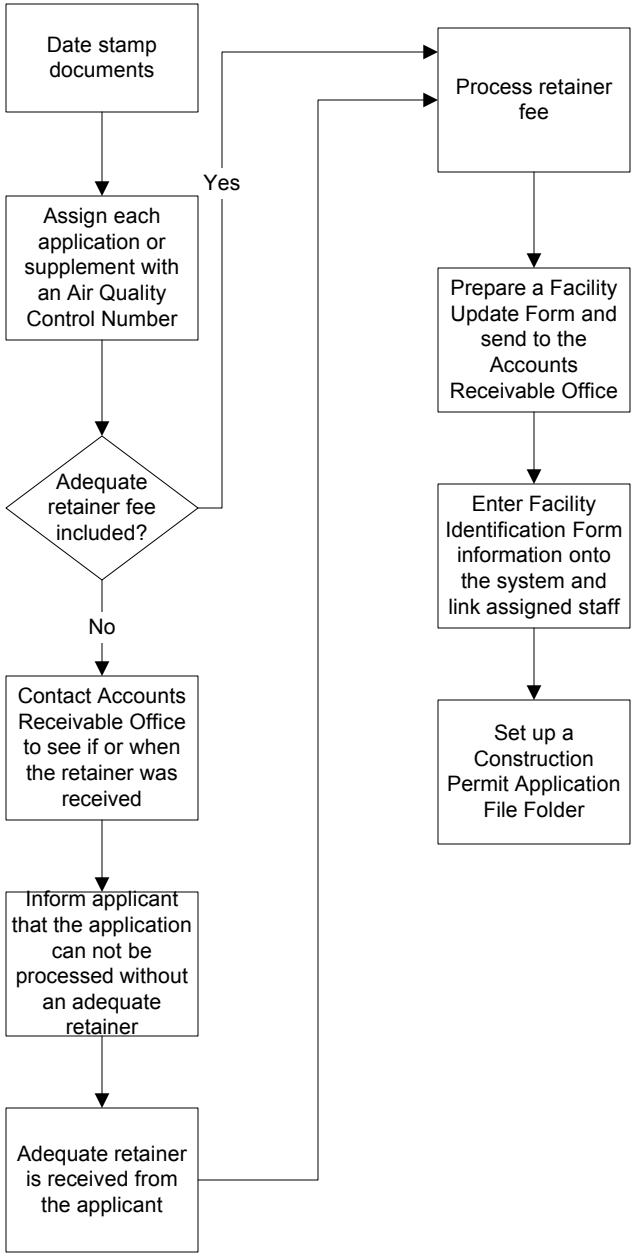


Diagram 2

ADEC Air ConstructionPermit Process
Pre-application Assistance Subprocess

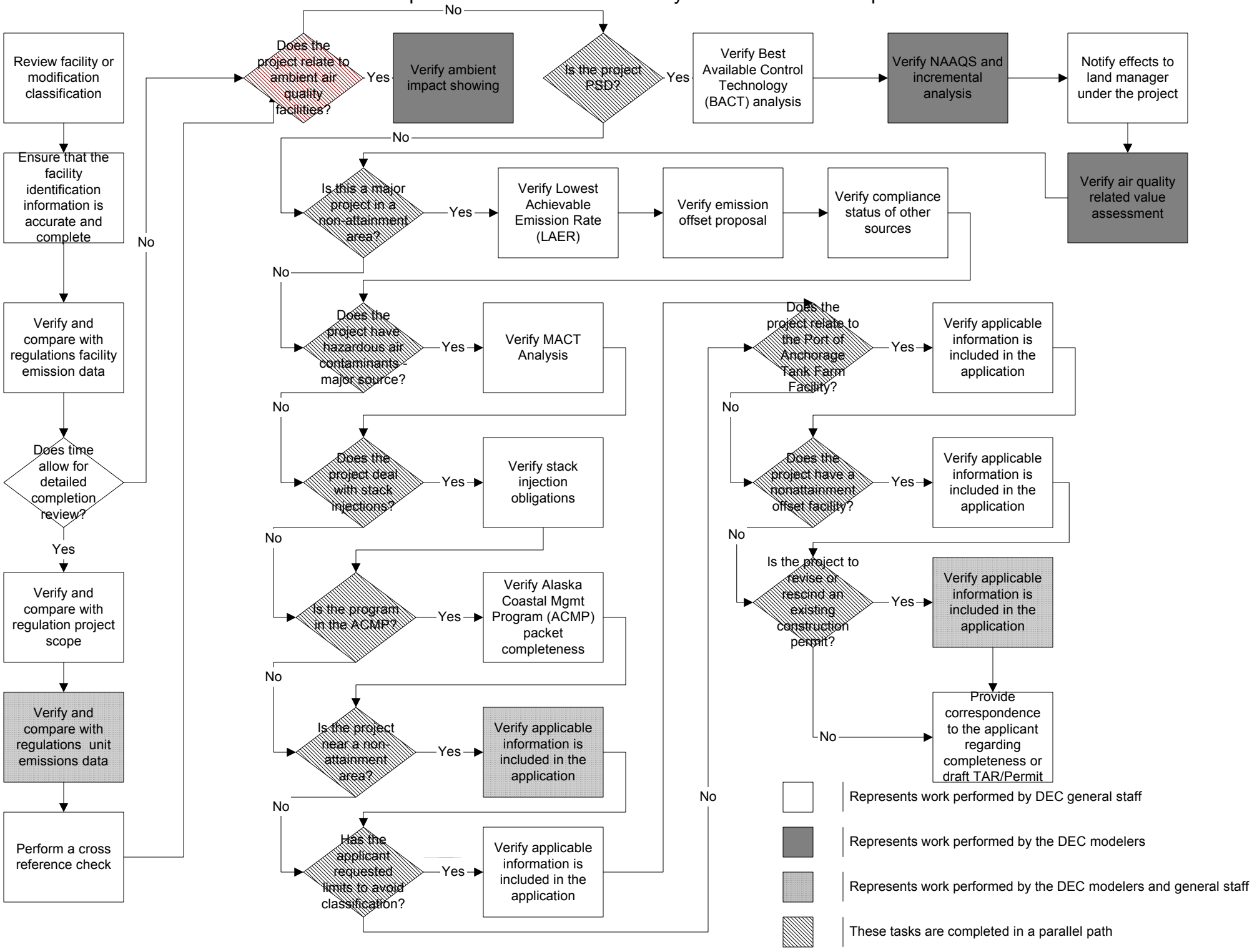


ADEC Construction Air Permit Process
Administrative - Completion Review Subprocess (stage 1)



ADEC ConstructionAir Permit Process
Technical - Completion Review and Preliminary Permit Decision Subprocesses

Appendix C



ADEC Air Construction Permit Process - Position analysis

Appendix C